

**Migratory Waterfowl and Gamebird Seasons and Regulation and Hunter Education Instructor
Turkey Incentive Permit – Briefing and Public Comment**

220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations.
220-416-060 2020-2021 Migratory waterfowl and gamebird seasons and regulations.

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Summary Sheet

Meeting dates:	March 13, 2020
Agenda item:	Migratory Waterfowl and Gamebird Seasons and Regulations and Hunter Education Instructor Turkey Incentive Permits – Briefing and Public Hearing
Presenter(s):	Kyle Spragens, Waterfowl Section Manager, Game Division, Wildlife Program

Background summary: The department staff will brief the Commission on the proposed amendment of WAC 220-416-060 2020-2021 Migratory waterfowl and gamebird seasons and regulations and WAC 220-416-010 Small game and other wildlife seasons and regulations.

Migratory waterfowl season frameworks are established through ongoing interagency management programs involving U.S. Fish and Wildlife Service (USFWS) and flyway organizations, including input from Canada, Russia, and Mexico. Federal frameworks include maximum bag limits, season lengths, season timing, and other regulations. Pacific Flyway season frameworks follow harvest strategies and management plans that have been developed cooperatively by USFWS and the Pacific Flyway Council. All states adopt waterfowl seasons within federal frameworks, and in many cases, they are more restrictive to address regional conservation needs.

Management agencies utilize Adaptive Harvest Management (AHM) to establish duck season frameworks. AHM relies on annual survey information and population models to prescribe optimal regulation packages each year. The population of ducks in the western part of North America is managed separately from the eastern flyways, as part of the models developed for western mallard AHM. Western mallard AHM uses results from breeding surveys and other information from western areas rather than from the Canadian prairies, recognizing differences in Pacific Flyway breeding areas. The season packages proposed for western mallard AHM are the same as developed under mid-continent mallard AHM (liberal, moderate, and restrictive), although different models are used to prescribe annual packages.

During the 2019 breeding waterfowl assessment, most duck populations continued to benefit from good wetland and favorable weather conditions in major breeding areas, including Washington State. However, Northern pintail status remained below population objective, resulting in a daily bag limit of one pintail per the USFWS Northern Pintail Harvest Strategy. Additionally, based on the 2019 scaup status, the optimal regulatory alternative described in AHM protocol, requires a restrictive regulatory alternative, reducing the daily bag limit to two scaup per day, but maintains the 86-day season length.

The department staff will brief the Commission on the proposed amendment of WAC 220-416-010 Small Game and Other Wildlife Seasons.

We recommend adding two spring turkey hunter education instructor incentive permits.

Staff recommendation:

- Adjust season dates relative to 2020-2021 calendar dates.
- Maintain one-pintail per day bag-limit and associated possession limit per the USFWS Northern Pintail Harvest Strategy.
- Lowering scaup bag-limit to two-scaup per day and associated possession limits, while maintaining an 86-day season length per the optimal regulatory alternative described in AHM protocol.
- Shifting seven-days from the beginning of the first season segment to the end of the third season segment for white geese in Goose Management Area 4 (Columbia Basin).
- Add two spring turkey hunter education instructor incentive permits.

Policy issue(s) and expected outcome:

Establishing waterfowl hunting seasons within frameworks established by the U.S. Fish and Wildlife Service, including continuation of a 107-day season for ducks.

Fiscal impacts of agency implementation:

None.

Public involvement process used and what you learned:

The department provided public input opportunity on proposed hunting seasons via the department website for a three-week time period. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at the March 13-14, 2020 Commission meeting.

Action requested and/or proposed next steps:

Take public comment. Adoption is planned for the April 10-11, 2020 Commission meeting.

Form revised 2-15-18

WAC 220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations. Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

STATEWIDE SEASONS

- (1) **FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)**
 - (a) DAILY BAG LIMIT: 4 grouse per day, to include not more than 3 Blue Grouse, 3 Spruce Grouse, and 3 Ruffed Grouse.
 - (b) POSSESSION LIMIT: 12 grouse, to include not more than 9 Blue Grouse, 9 Spruce Grouse, and 9 Ruffed Grouse.
 - (c) SEASON DATES: Sept. 1 - Dec. 31 during the current license year.
- (2) **BOBCAT**
 - (a) BAG AND POSSESSION LIMITS: No limit.
 - (b) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.
 - (c) RESTRICTION: It is unlawful to hunt bobcat with dogs. Night hunting for bobcat is prohibited in GMUs that fall within the lynx management zones identified by the department.
- (3) **RACCOON**
 - (a) BAG AND POSSESSION LIMITS: No limit.
 - (b) OPEN AREA: Statewide.
 - (c) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.
- (4) **FOX**
 - (a) BAG AND POSSESSION LIMITS: No limit.
 - (b) OPEN AREA: Statewide, EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests.
 - (c) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.
- (5) **COYOTE**
 - (a) BAG AND POSSESSION LIMITS: No limit.
 - (b) OPEN AREA: Statewide.
 - (c) SEASON DATES: Year-round.
 - (d) RESTRICTION: It is unlawful to hunt coyote with dogs.
- (6) **COTTONTAIL RABBIT AND SNOWSHOE HARE (OR WASHINGTON HARE)**
 - (a) BAG AND POSSESSION LIMITS: 5 cottontails or snowshoe hares per day, with a total of 15 in possession at any time, straight or mixed bag.
 - (b) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.
- (7) **CROWS**
 - (a) BAG AND POSSESSION LIMITS: No limit.
 - (b) SEASON DATES: Sept. 1 - Dec. 31 during the current license year.
- (8) **JACKRABBIT:**

Closed statewide.
- (9) **PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE:**

Closed statewide.
- (10) **WILD TURKEY:**
 - (a) **YOUTH SEASON:** Open only to youth hunters accompanied by an adult 18 years of age or older.
 - (i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.
 - (ii) SEASON DATES:
 - (A) April 6-7, 2019;
 - (B) April 4-5, 2020;

- (C) April 3-4, 2021; and
- (D) April 2-3, 2022.

(b) **SPRING SEASON**

- (i) **LEGAL BIRD:** Male turkeys and turkeys with visible beards only.
- (ii) **SEASON DATES:** April 15 - May 31 during the current license year.
- (iii) **BAG LIMIT:** The combined spring/youth season limit is 3 birds.

Only 2 turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. Two (2) turkeys may be killed in Klickitat County.

(c) **FALL GENERAL SEASON**

- (i) **LEGAL HUNTER:** Open to all hunters with a valid turkey tag.
- (ii) **OPEN AREA:** GMUs 101-154 and 162-186, 382, 388, 568-578.
- (iii) **SEASON DATES:**
 - (A) Sept. 1 - Dec. 31, 2018, (GMUs 101-154 and 162-186);
 - (B) Sept. 22 - Oct. 12, 2018, (GMUs 382, 388, 568-578);
 - (C) Sept. 1 - Dec. 31, 2019, (GMUs 101-154 and 162-186);
 - (D) Sept. 28 - Oct. 11, 2019, (GMUs 382, 388, 568-578);
 - (E) Sept. 1 - Dec. 31, 2020, (GMUs 101-154 and 162-186);
 - (F) Sept. 26 - Oct. 16, 2020, (GMUs 382, 388, 568-578).

(iv) **BAG LIMIT:** Four (4) turkeys during the fall general season with the following area restrictions:

Game Management Units (GMUs)	Legal Bird and Limit
382, 388, 568-578	One (1) either sex turkey
101-154 and 162-186	Two (2) beardless plus two (2) either sex turkey

(d) **FALL PERMIT SEASONS**

- (i) **LEGAL BIRD:** Either sex.
- (ii) **LEGAL HUNTER:** All hunters who are selected in the fall turkey special permit drawing and who also possess a valid turkey tag.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
Methow	Nov. 15 - Dec. 15, 2018, 2019, 2020	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, 2018, 2019, 2020	Either sex	GMU 335	50	1

*BAG LIMIT: During the fall permit hunting seasons.

(e) **HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS**

- (i) **LEGAL BIRD:** Male turkeys and turkeys with visible beards only.
- (ii) **LEGAL HUNTER:** Qualified hunter education instructors who are selected through a random drawing. Hunter education instructors qualify if the instructor is certified and has been in active status for a minimum of 3 consecutive years, inclusive of the year prior to the permit drawing.
- (iii) **OPEN AREA:** Statewide.
- (iv) **SEASON DATES:** April 1 - May 31 during the current license year.
- (v) **PERMITS:** ((2)) 4 individuals will be drawn for this permit per year.
- (vi) **BAG LIMIT:** 1 male turkey or turkey with visible beard in addition to other spring season turkey harvest.
- (f) **OFFICIAL HUNTING HOURS FOR WILD TURKEY:** 1/2 hour before sunrise to sunset during spring and fall seasons.
- (g) **SPECIAL RULES FOR WILD TURKEY:**

- (i) It is unlawful to hunt turkey unless the hunter possesses a turkey tag.
- (ii) It is unlawful to hunt turkeys with dogs.
- (iii) It is unlawful to bait game birds.

EASTERN WASHINGTON SEASONS :

(11) RING-NECKED PHEASANT

- (a) BAG AND POSSESSION LIMITS: Three (3) cock pheasants per day. Hunters may possess up to 15 cock pheasants at any one time.
- (b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.
 - (i) Sept. 22-23, 2018;
 - (ii) Sept. 21-22, 2019; and
 - (iii) Sept. 19-20, 2020.
- (c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND HUNTERS WITH DISABILITIES SEASON DATES:
 - (i) Sept. 24-28, 2018;
 - (ii) Sept. 23-27, 2019; and
 - (iii) Sept. 21-25, 2020.
- (d) REGULAR SEASON DATES:
 - (i) Oct. 20, 2018 - Jan. 21, 2019;
 - (ii) Oct. 19, 2019 - Jan. 20, 2020; and
 - (iii) Oct. 24, 2020 - Jan. 18, 2021.

(12) CHUKAR

- (a) BAG AND POSSESSION LIMITS: 6 chukar per day. Hunters may possess up to 18 chukar at any one time.
- (b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.
 - (i) Sept. 22-23, 2018;
 - (ii) Sept. 28-29, 2019; and
 - (iii) Sept. 26-27, 2020.
- (c) REGULAR SEASON DATES:
 - (i) Oct. 6, 2018 - Jan. 21, 2019;
 - (ii) Oct. 5, 2019 - Jan. 20, 2020; and
 - (iii) Oct. 3, 2020 - Jan. 18, 2021.

(13) GRAY (HUNGARIAN) PARTRIDGE

- (a) BAG AND POSSESSION LIMITS: 6 gray partridges per day. Hunters may possess up to 18 gray partridges at any one time.
- (b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.
 - (i) Sept. 22-23, 2018;
 - (ii) Sept. 28-29, 2019; and
 - (iii) Sept. 26-27, 2020.
- (c) REGULAR SEASON DATES:
 - (i) Oct. 6, 2018 - Jan. 21, 2019;
 - (ii) Oct. 5, 2019 - Jan. 20, 2020; and
 - (iii) Oct. 3, 2020 - Jan. 18, 2021.

(14) MOUNTAIN QUAIL

Closed throughout Eastern Washington.

(15) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

- (a) BAG AND POSSESSION LIMITS: 10 quail per day. Hunters may possess up to 30 quail at any one time, straight or mixed bag.
- (b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.
 - (i) Sept. 22-23, 2018;
 - (ii) Sept. 28-29, 2019; and
 - (iii) Sept. 26-27, 2020.
- (c) REGULAR SEASON DATES:

- (i) Oct. 6, 2018 - Jan. 21, 2019;
- (ii) Oct. 5, 2019 - Jan. 20, 2020; and
- (iii) Oct. 3, 2020 - Jan. 18, 2021.

WESTERN WASHINGTON SEASONS :

(16) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: 2 pheasants of either sex per day. Hunters may possess up to 15 pheasants at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

- (i) Sept. 22-23, 2018;
- (ii) Sept. 21-22, 2019; and
- (iii) Sept. 19-20, 2020.

(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND HUNTERS WITH DISABILITIES SEASON DATES :

- (i) Sept. 24-28, 2018;
- (ii) Sept. 23-27, 2019; and
- (iii) Sept. 21-25, 2020.

(d) REGULAR SEASON DATES: 8:00 a.m. to 4:00 p.m.

- (i) Sept. 29 - Nov. 30, 2018;
- (ii) Sept. 28 - Nov. 30, 2019; and
- (iii) Sept. 26 - Nov. 30, 2020.

(e) EXTENDED SEASON DATES:

- (i) Dec. 1-15, during the current license year.
- (ii) 8 a.m. to 4 p.m. only at the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview.

(iii) The department may not release pheasants during the extended season.

(f) SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt only on odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, and all hunting sites on Whidbey Island. Hunters must indicate their choice of odd-numbered or even-numbered weekend days on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters possessing a valid disabled hunter permit, hunters 65 years of age or older, and youth hunters may hunt in the morning on both odd-numbered and even-numbered weekend days. Youth hunters must be accompanied by an adult 18 years of age or older, and the adult must have an appropriately marked pheasant permit if hunting.

(17) MOUNTAIN QUAIL

(a) BAG AND POSSESSION LIMITS: 2 mountain quail per day. Hunters may possess up to 4 mountain quail at any one time.

(b) SEASON DATES:

- (i) Sept. 29 - Nov. 30, 2018;
- (ii) Sept. 28 - Nov. 30, 2019; and
- (iii) Sept. 26 - Nov. 30, 2020.

(18) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: 10 California (valley) quail or northern bobwhite per day. Hunters may possess up to 30 California (valley) quail or northern bobwhite at any one time, straight or mixed bag.

(b) SEASON DATES:

- (i) Sept. 29 - Nov. 30, 2018;
- (ii) Sept. 28 - Nov. 30, 2019; and
- (iii) Sept. 26 - Nov. 30, 2020.

FALCONRY SEASONS :

(19) **UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY**

(a) **BAG AND POSSESSION LIMITS:**

- (i) 2 pheasants (either sex);
- (ii) 6 partridge;
- (iii) 5 California (valley) quail or northern bobwhite;
- (iv) 2 mountain quail (in Western Washington only);
- (v) 3 forest grouse (blue, ruffed, spruce) per day; and
- (vi) Possession limit is twice the daily bag limit.

(b) **OPEN AREA:** Statewide.

(c) **SEASON DATES:** Aug. 1 - Mar. 15 during the current license year.

(20) **TURKEY - FALCONRY**

(a) A turkey tag is required to hunt turkey during the turkey falconry season.

(b) **BAG AND POSSESSION LIMITS:** One (1) turkey (either sex) per turkey tag, with a maximum of 2 turkeys. Hunters may possess up to 2 turkeys at any one time.

(c) **OPEN AREA:** Eastern Washington.

(d) **SEASON DATES:** Sept. 1 - Feb. 15 during the current license year.

(21) **COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY**

(a) **BAG AND POSSESSION LIMITS:** 5 cottontails or snowshoe hares per day, straight or mixed bag. Hunters may possess up to 15 cottontails or snowshoe hares at any one time, straight or mixed bag.

(b) **OPEN AREA:** Statewide.

(c) **SEASON DATES:** Aug. 1 - Mar. 15 during the current license year.

OTHER SEASONS:

(22) **BIRD DOG TRAINING SEASON**

(a) Wild upland game birds may be pursued during the dog-training season but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if the hunter has proof of lawful acquisition (invoices) and the birds are appropriately marked (WAC 220-450-010 and 220-416-110).

(b) **OPEN AREA:** Statewide.

(c) **SEASON DATES:** Aug. 1 - Mar. 31 during the current license year.

(d) Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

(e) Bird dog training may be conducted year round on areas posted for bird dog training on portions of:

(i) Region One - Espanola (T24N, R40E, E 1/2 of section 16);

(ii) Region Three - Wenas Wildlife Area;

(iii) Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area;

(iv) Region Five - Shillapoo/Vancouver Lake Wildlife Area;

(v) Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

(23) **YAKAMA INDIAN RESERVATION:**

The 2018-2019, 2019-2020, and 2020-2021 upland bird seasons within the Yakama Indian Reservation are the same as the season established by the Yakama Indian Nation.

(24) **COLVILLE INDIAN RESERVATION:**

The 2018-2019, 2019-2020, and 2020-2021 upland bird seasons within the Colville Indian Reservation are the same as the season established by the Colville Indian Tribe.

Summary of Public Comments Received During the Official Comment Period and WDFW Response:

WAC 220-416-010 Small game and other wildlife seasons and regulations.

Written Supporting Comments:

There were 139 comments submitted for this WAC proposal. Ninety-two comments generally agreed with the proposal.

Written Opposing, Neutral, and Other Comments:

There were eleven opposing comments submitted for this WAC proposal. Several made mention of the perspective that turkey should be considered a nuisance species. Several comments were not clear on the actual incentive being offered with these two additional permits. Thirty-six comments submitted took a neutral stance on the proposed recommendations, but available comments provided comment for topics not opened in this WAC.

Fish and Wildlife Commission Hearing, Public Comments:

(To be filled out after the first Commission meeting)

Rationale-Agency Action Regarding Comments:

This proposal adds two permits as an incentive to hunter education instructors and does not pose any impact to overall turkey hunting seasons.

AMENDATORY SECTION (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

WAC 220-416-060 ((2019-2020 Migratory waterfowl)) 2020-2021 Migratory gamebird seasons and regulations. Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

DUCKS

Statewide: Oct. ((12-30, 2019)) 17 - Nov. 4, 2020, and Nov. ((2, 2019 - Jan. 26, 2020)) 7, 2020 - Jan. 31, 2021; except scaup season closed Oct. ((12 - Nov. 1, 2019)) 17 - Nov. 6, 2020.

Special youth hunting days open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. ((21, 2019)) 26, 2020, and ((Feb. 1, 2020)) Feb. 6, 2021, in Western Washington (West Zone); ((Sept. 28, 2019)) Oct. 3, 2020, and ((Feb. 1, 2020)) Feb. 6, 2021, in Eastern Washington (East Zone).

Special veterans and active military personnel hunting day open only to hunters as defined in Section 3 of 16 U.S. Code Sec. 704 as amended by the John D. Dingell, Jr. Conservation, Management, and Recreation Act: ((Feb. 1, 2020)) Feb. 6, 2021, in Western Washington (West Zone) and Eastern Washington (East Zone).

Daily Bag Limit: 7 ducks, to include not more than 2 hen mallard, 1 pintail, ((3)) 2 scaup, 2 canvasback, and 2 redhead statewide; and to include not more than 1 harlequin, 2 scoter, 2 long-tailed duck, and 2 goldeneye in Western Washington.

Possession Limit for Regular Season: 21 ducks, to include not more than 6 hen mallard, 3 pintail, ((9)) 6 scaup, 6 canvasback, and 6 red-head statewide; and to include not more than 1 harlequin, 6 scoter, 6 long-tailed duck, and 6 goldeneye in Western Washington.

Possession Limit for Youth, Veterans and Active Military Personnel Hunting Days: Same as Daily Bag Limit.

Season Limit: 1 harlequin in Western Washington.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SEA DUCKS

Hunters must possess a special ((2019-2020)) 2020-2021 hunting authorization and harvest record card for sea ducks when hunting harlequin, scoter, long-tailed duck, and goldeneye in Western Washington. A hunter who has not previously possessed a sea duck harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a sea duck into possession, hunters must record in ink the information required on the harvest record card.

COOT (Mudhen)

Same areas and dates (including youth, veterans and active military personnel hunting days) as the duck season.

Daily Bag Limit: 25 coots.

Possession Limit: 75 coots.

Possession Limit for Youth, Veterans and Active Military Personnel
Hunting Days: Same as Daily Bag Limit.

SNIPE

Same areas and dates (except youth, veterans and active military personnel hunting days) as the duck season.

Daily Bag Limit: 8 snipe.

Possession Limit: 24 snipe.

GEESE (except Brant)

Special youth hunting days open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. (~~(21, 2019)~~) 26, 2020, and (~~(Feb. 1, 2020)~~) Feb. 6, 2021, in Western Washington (West Zone); (~~(Sept. 28, 2019)~~) Oct. 3, 2020, and (~~(Feb. 1, 2020)~~) Feb. 6, 2021, in Eastern Washington (East Zone).

Special veterans and active military personnel hunting day open only to hunters as defined in Section 3 of 16 U.S. Code Sec. 704 as amended by the John D. Dingell, Jr. Conservation, Management, and Recreation Act: (~~(Feb. 1, 2020)~~) Feb. 6, 2021, in Western Washington (West Zone) and Eastern Washington (East Zone).

Daily Bag Limit for September dates: 4 Canada geese and 10 white-fronted geese.

Daily Bag Limit for February date: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit for Youth, Veterans and Active Military Personnel
Hunting Days: Same as Daily Bag Limit.

Western Washington Goose Seasons

Goose Management Area 1: Island, Skagit, and Snohomish counties.

September Canada Goose Season

Sept. (~~(7-12, 2019)~~) 5-10, 2020.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. (~~(12 - Dec. 1, 2019)~~) 17 - Nov. 29, and Dec. (~~(14, 2019 - Jan. 26, 2020)~~) 12, 2020 - Jan. 31, 2021, for Canada and white-fronted geese (except brant).

Oct. (~~(12 - Dec. 1, 2019)~~) 17 - Nov. 29, and Dec. (~~(14, 2019 - Jan. 26, 2020)~~) 12, 2020 - Jan. 31, 2021, and Feb. (~~(8-18, 2020)~~) 13-23, 2021, for snow, Ross', and blue geese (collectively referred to as white geese). During Feb. (~~(8-18, 2020)~~) 13-23, 2021, in Skagit and Snohomish counties, specified WDFW lands including Fir Island Farm Game Reserve, Island Unit, Johnson DeBay's Slough Swan Reserve and Hunt Unit, Leque Island Unit, Samish Unit, Samish River Unit, South Padilla Bay Unit, and Skagit Headquarters Unit of the Skagit Wildlife Area are closed to goose hunting in Goose Management Area 1. During Feb. (~~(8-18, 2020)~~) 13-23, 2021, in Snohomish County, that portion east of Interstate 5 is closed to goose hunting in Goose Management Area 1.

Daily Bag Limit: 4 Canada geese, 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese, 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SNOW GEESE

Hunters must possess a special (~~(2019-2020)~~) 2020-2021 migratory bird hunting authorization and harvest record card for snow geese when hunting snow, Ross', and blue geese in Goose Management Area 1. A hunter who has not previously possessed a snow goose harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a snow, Ross', or blue goose into possession, hunters must record in ink the information required on the harvest record card.

SKAGIT COUNTY SPECIAL RESTRICTIONS

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

While hunting snow geese, if a hunter is convicted of (a) trespass; (b) shooting from, across, or along the maintained part of any public highway; (c) discharging a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County or discharging a firearm within 100 feet of any paved public road for the purpose of hunting snow geese in other areas of Skagit County; or (d) exceeding the daily bag limit for geese, authorization will be invalidated for the remainder of the current snow goose season and an authorization will not be issued for the subsequent snow goose season.

Goose Management Area 2 - Coast: Pacific County and the portion of Grays Harbor County west of highway 101.

September Canada Goose Season

Sept. (~~(7-15, 2019)~~) 5-13, 2020.

Daily Bag Limit: 5 Canada geese, except 15 Canada geese in Pacific County.

Possession Limit: 15 Canada geese, except 45 Canada geese in Pacific County.

Regular Season

Open in all areas from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. (~~(12-27, 2019)~~) 17 - Nov. 1, 2020; Saturdays, Sundays, and Wednesdays only, Nov. (~~(1 - Dec. 1, 2019, Dec. 21, 2019 - Jan. 19, 2020; and Feb. 8-22, 2020)~~) 4 - Dec. 6, 2020, and Dec. 23, 2020 - Jan. 24, 2021, and Feb. 13-24, 2021. During Feb. (~~(8-22, 2020)~~) 13-24, 2021, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2 - Coast.

Bag Limits for Goose Management Area 2 - Coast:

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Dusky Canada geese: SEASON CLOSED.

Goose Management Area 2 - Inland: Clark, Cowlitz, Wahkiakum counties and the portion of Grays Harbor County east of highway 101.

September Canada Goose Season

Sept. (~~7-15, 2019~~) 5-13, 2020.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Open in all areas except Ridgefield NWR from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. (~~12-27, 2019~~) 17 - Nov. 1, 2020; Saturdays, Sundays, and Wednesdays only, Nov. (~~23, 2019~~ - Jan. 12, 2020; and Feb. 8 - Mar. 7, 2020) 25, 2020 - Jan. 17, 2021, and Feb. 13 - Mar. 10, 2021. During Feb. (~~8 - Mar. 7, 2020~~) 13 - Mar. 10, 2021, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2 - Inland. Ridgefield NWR open from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, Tuesdays, Thursdays, and Saturdays only, Oct. (~~12-27, 2019 and Nov. 23, 2019 - Jan. 11, 2020~~) 17 - Nov. 1, 2020, and Nov. 25, 2020 - Jan. 16, 2021.

Bag Limits for Goose Management Area 2 - Inland:

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Dusky Canada geese: SEASON CLOSED.

Special Provisions for Goose Management Area 2 Coast and Inland Regular Season only:

A dusky Canada goose is defined as a dark-breasted (as shown in the Munsell color chart 10 YR, 5 or less) Canada goose with a culmen (bill) length of 40-50 mm.

Hunters must possess a valid special (~~2019-2020~~) 2020-2021 migratory bird hunting authorization and harvest record card for geese when hunting all goose species in Goose Management Area 2 Coast and Inland. New hunters and those who did not maintain a valid (~~2018-2019~~) 2019-2020 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization un-

til that time. Immediately after taking a goose into possession, hunters must record in ink the information required on the harvest record card.

It is unlawful for hunters in Goose Management Area 2 Coast and Inland to fail to comply with the directions of authorized department personnel related to the collection of goose subspecies information pursuant to RCW 77.12.071. A person who prevents department personnel from collecting samples of tissue or other bodily parts is subject to prosecution under RCW 77.15.360 Unlawful interfering in department operations—Penalty. If a hunter takes a dusky Canada goose or does not comply with requirements listed above regarding WDFW collection of subspecies information, authorization will be invalidated by the department and the hunter will not be able to hunt geese in Goose Management Area 2 Coast and Inland for the remainder of the season. It is unlawful to fail to comply with all provisions listed above for Goose Management Area 2 Coast and Inland. Taking one dusky Canada goose is punishable as an infraction under RCW 77.15.160 (5)(b). Other violations of Area 2 goose hunting rules are punishable as an infraction under RCW 77.15.160 (2)(e) or as a misdemeanor or gross misdemeanor under RCW 77.15.400 unlawful hunting of wild birds, depending on the circumstances of the violation.

Goose Management Area 3

Includes all parts of Western Washington not included in Goose Management Areas 1 and 2.

September Canada Goose Season

Sept. (~~7-12, 2019~~) 5-10, 2020.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. (~~12-24, 2019 and Nov. 2, 2019 - Jan. 26, 2020~~) 17-29, and Nov. 7, 2020 - Jan. 31, 2021.

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Eastern Washington Goose Seasons

September Canada Goose Season (Eastern Washington)

Sept. (~~7-8, 2019~~) 5-6, 2020.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 10 Canada geese.

Goose Management Area 4

Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties.

Saturdays, Sundays, and Wednesdays only during Oct. (~~12, 2019 - Jan. 19, 2020~~) 17, 2020 - Jan. 24, 2021; additionally, to accommodate op-

portunity during recognized holiday periods, the ~~((2019-2020))~~ 2020-2021 season will include: Nov. ~~((11, 28, and 29, 2019; Dec. 24, 26, 27, 30, and 31, 2019))~~ 26 and 27, 2020; Dec. 24, 25, 28, 29, and 31, 2020, and Jan. 1 and 18, 2021; and every day Jan. ~~((20-26, 2020))~~ 25-31, 2021, for Canada geese and white-fronted geese.

Saturdays, Sundays, and Wednesdays only during ~~((Oct. 26, 2019 — Jan. 19, 2020))~~ Nov. 7, 2020 - Jan. 24, 2021; additionally, to accommodate opportunity during recognized holiday periods, the 2019-2020 season will include: Nov. ~~((11, 28, and 29, 2019; Dec. 24, 26, 27, 30, and 31, 2019))~~ 26 and 27, 2020; Dec. 24, 25, 28, 29, and 31, 2020, and Jan. 1 and 18, 2021; every day Jan. ~~((20-26, 2020 and Feb. 22 — Mar. 4, 2020))~~ 25-31, 2021, and Feb. 20 - Mar. 10, 2021, for snow, Ross', and blue phase geese (collectively referred to as white geese).

Goose Management Area 5

Includes all parts of Eastern Washington not included in Goose Management Area 4.

Oct. ~~((12-28, 2019))~~ 17 - Nov. 2, 2020, and every day from Nov. ~~((2, 2019 — Jan. 26, 2020))~~ 7, 2020 - Jan. 31, 2021.

Bag Limits for all Eastern Washington Goose Management Areas during regular seasons:

Daily Bag Limit: 4 Canada geese, 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese, 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

BRANT

Open in Skagit County only on the following dates:

Jan. 16 and 23, 2021, with additional days provided.

If the ~~((2019-2020))~~ 2020-2021 brant population in Skagit County is greater than 6,000 (as determined by aerial survey), the brant season in Skagit County will be open on the following dates: Jan. ~~((11, 12, 15, 18, 19, 22, 25, and 26, 2020))~~ 16, 17, 20, 23, 24, 27, 30, and 31, 2021.

If the ~~((2019-2020))~~ 2020-2021 brant population in Skagit County is 3,000-6,000 (as determined by aerial survey), the brant season in Skagit County will be open only on selected dates.

If the ~~((2019-2020))~~ 2020-2021 brant population in Skagit County is below 3,000 (as determined by aerial survey), the brant season in Skagit County will be closed.

Open in Clallam and Whatcom counties only on the following dates: Jan. ~~((11, 15, and 18, 2020))~~ 16, 20, and 23, 2021.

Open in Pacific County only on the following dates: Jan. ~~((4, 5, 7, 9, 11, 12, 14, 16, 18, 19, 21, 23, 25, and 26, 2020))~~ 9, 10, 12, 14, 16, 17, 19, 21, 23, 24, 26, 28, 30, and 31, 2021, but may be adjusted pending the most recent 3-year running average results of the Pacific flyway winter brant survey.

Special youth, open to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting), veterans and active military personnel hunting day, open to hunters as defined in Section 3 of 16 U.S. Code Sec. 704 as amended by the John

D. Dingell, Jr. Conservation, Management, and Recreation Act: Feb. (~~1, 2020~~) 6, 2021.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BRANT

Hunters must possess a special (~~2019-2020~~) 2020-2021 migratory bird hunting authorization and harvest record card for brant when hunting brant. A hunter who has not previously possessed a brant harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest record card.

Bag Limits for Clallam, Skagit, Pacific and Whatcom counties:

Daily Bag Limit: 2 brant.

Possession Limit: 6 brant.

Special youth, veterans and active military personnel hunting day.

Daily Bag and Possession Limit: 2 brant.

SWANS

Season closed statewide.

MOURNING DOVE

Sept. 1 - Oct. 30, (~~2019~~) 2020, statewide.

Daily Bag Limit: 15 mourning doves.

Possession Limit: 45 mourning doves.

BAND-TAILED PIGEON

Sept. 15-23, (~~2019~~) 2020, statewide.

Daily Bag Limit: 2 band-tailed pigeons.

Possession Limit: 6 band-tailed pigeons.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BAND-TAILED PIGEONS

Hunters must possess a special (~~2019-2020~~) 2020-2021 migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. A hunter who has not previously possessed a band-tailed pigeon harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest record card.

FALCONRY SEASONS

DUCKS, COOTS, SNIPE, GEESE, AND MOURNING DOVES (EXCEPT BRANT) (Falconry)

Same season dates for each species in each area as listed above.

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, snipe, geese, and mourning doves during established seasons.

Possession Limit: 3 times the daily bag limit.

DUCKS, COOTS, CANADA GEESE, WHITE-FRONTED GEESE, WHITE GEESE AND BRANT

(Extended Falconry)

Sept. (~~21, 2019~~) 26, 2020 and Feb. (~~1, 2020~~) 6, 2021, in Western Washington (West Zone).

((~~Sept. 28, 2019~~)) Oct. 3, 2020 and Feb. ((~~1, 2020~~)) 6, 2021, in Eastern Washington (East Zone).

Daily Bag Limit: 3, straight or mixed bag, including allowable species specified under youth, veterans and active military personnel dates.

Possession Limit: Same as the Daily Bag Limit.

MOURNING DOVE (Extended Falconry)

Oct. 31 - Dec. 16, ((~~2019~~)) 2020.

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, snipe, and geese during established seasons.

Possession Limit: 3 times the daily bag limit.

HIP REQUIREMENTS:

All hunters of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) age 16 and over are required to complete a harvest information program (HIP) survey at a license dealer and possess a Washington migratory bird permit as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey and possess a Washington migratory bird permit (free for youth) as evidence of compliance with this requirement when hunting migratory game birds.

Summary of Public Comments Received During the Official Comment Period and WDFW Response:

WAC 220-416-060 2020-2021 Migratory gamebird seasons and regulations.

Written Supporting Comments:

There were 129 comments submitted for this WAC proposal. Fifty-four comments generally agreed with the proposal. Two comments requested modification to the waterfowl pamphlet related to goose seasons descriptions but were supportive of the changes.

Written Opposing, Neutral, and Other Comments:

There were nine opposing comments submitted for this WAC proposal. Several comments were related to the maintained one-pintail per day and a decrease in bag-limit to two-scaup per day during the authorized 86-day scaup season. Several comments are requesting changes that are federal framework and not at the discretion of the department to adjust. Sixty-six comments submitted took a neutral stance on the proposed recommendations, but available comments provided comment for topics not opened in this WAC.

Fish and Wildlife Commission Hearing, Public Comments:

(To be filled out after the first Commission meeting)

Rationale-Agency Action Regarding Comments:

Migratory waterfowl season frameworks are established through ongoing interagency management programs involving U.S. Fish and Wildlife Service (USFWS) and flyway organizations, including input from Canada, Russia, and Mexico. Federal frameworks include maximum bag limits, season lengths, season timing, and other regulations. Pacific Flyway season frameworks follow harvest strategies and management plans that have been developed cooperatively by USFWS and the Pacific Flyway Council. All states adopt waterfowl seasons within federal frameworks, and in many cases, they are more restrictive to address regional conservation needs.

Management agencies utilize Adaptive Harvest Management (AHM) to establish duck season frameworks. AHM relies on annual survey information and population models to prescribe optimal regulation packages each year. The population of ducks in the western part of North America is managed separately from the eastern flyways, as part of the models developed for western mallard AHM. Western mallard AHM uses results from breeding surveys and other information from western areas rather than from the Canadian prairies, recognizing differences in Pacific Flyway breeding areas.



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 05, 2020

TIME: 9:19 AM

WSR 20-04-091

Agency: Washington Department of Fish and Wildlife (WDFW)

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 20-01-123 on December 16, 2019 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) The department seeks to adopt rules concerning the 2020-2021 season setting.

WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five.

WAC 220-410-060 Game management units (GMUs) boundary descriptions—Region six.

WAC 220-412-050 Landowner raffle hunts.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

WAC 220-412-090 Multiple season big game permits.

WAC 220-412-100 Landowner hunting permits.

WAC 220-413-180 Special closures and firearm restriction areas.

WAC 220-413-200 Reducing the spread of hoof disease—Unlawful transport of elk hooves.

WAC 220-415-020 2018-2020 Deer general seasons and definitions.

WAC 220-415-030 2019 Deer special permits.

WAC 220-415-040 Elk area descriptions.

WAC 220-415-050 2018-2020 Elk general seasons and definitions.

WAC 220-415-060 2019 Elk special permits.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

WAC 220-415-100 2018-2019 and 2019-2020 Cougar.

WAC 220-415-120 2019 Bighorn sheep seasons and permit quotas.

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

WAC 220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations.

WAC 220-416-040 Hunting predatory birds.

WAC 220-416-060 2019-2020 Migratory waterfowl seasons and regulations.

WAC 220-440-060 Killing wildlife causing private property damage.

Hearing location(s):

Date: **Time:** **Location:** (be specific) **Comment:**

March 13-14, 2020	8:00 a.m.	Red Lion Columbia Center 1101 N. Columbia Center Blvd. Kennewick, Washington 99336	
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Date of intended adoption: April 10-11, 2020 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Wildlife Program

Address: PO Box 43200, Olympia, WA. 98504

Email: wildthing@dfw.wa.gov

Fax: (360) 902-2162

Other: <https://wdfw.wa.gov/hunting/regulations/season-setting>

By (date) February 26, 2020

Assistance for persons with disabilities:

Contact Dolores Noyes

Phone: (360) 902-2349

Fax:

TTY: (800) 833-6388

Email: dolores.noyes@dfw.wa.gov

Other:

By (date) March 6, 2020

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

WAC 220-410-050 Game management unit (GMU) boundary descriptions—Region five.

The purpose of this proposal is to correct any errors in the boundary descriptions for game management unit 506.

WAC 220-410-060 Game management unit (GMU) boundary descriptions—Region six.

The purpose of this proposal is to correct any errors in the boundary descriptions for game management unit 673.

WAC 220-412-050 Landowner raffle hunts.

The purpose of this proposal is to alter the adjustment of annual report submission date requirements from December 31 to May 1, to coincide with WAC 220-412-100. This also allows enrolled landowners to submit all required reports at the same time.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

This proposal adds game management units (GMUs) 186 and portions of GMU 181 (south of the line made by starting at Montgomery Ridge Road and Highway 129, to the Sherry Grade Road, to the Couse Creek Road, to the Snake River) to the legal hunt area for the Rocky Mountain Bighorn Sheep Raffle Permit.

WAC 220-412-090 Multiple season big game permits.

The purpose of this proposal is to clarify language.

WAC 220-412-100 Landowner hunting permits.

The purpose of this proposal is to further develop the standard operating procedure for the Landowner Hunting Permit (LHP) Program. The Landowner Hunting Permit WAC has been adjusted to reflect the new proposed requirements for the LHP program, as outlined in the standard operating procedure. The revised standard operating procedure anticipates better management, monitoring, and an improved experience for the general public, while recreating on properties enrolled in the Landowner Hunting Permit.

WAC 220-413-180 Special closures and firearm restriction areas.

The proposed administrative changes remove the reference to “wooden towers” from the description for the Columbia River Restricted Hunting Area. Corrections are made to the spelling of Newberry (from Newbury) Hill Road for the Firearm Restriction Area in Kitsap County.

WAC 220-413-200 Reducing the spread of hoof disease—Unlawful transport of elk hooves.

The purpose of this proposal is to abolish the rule.

WAC 220-415-020 2018-2020 Deer general seasons and definitions.

The purpose of this proposal is to retain general season deer hunting opportunities for 2020. It also aims to balance the hunting opportunities between user groups. The proposal also increases opportunities when deer populations allow and reduces opportunities when declining deer numbers warrant a change.

WAC 220-415-030 2019 Deer special permits.

The purpose of this proposal is to retain special permit for deer hunting opportunities for 2020. It also balances hunting opportunities between user groups, increases opportunities when deer populations allow, and reduces opportunities when declining deer numbers warrant a change. Lastly, it adds language that clarifies the bag limit is one deer, except where otherwise permitted by department rule, even if permits are drawn for more than one deer hunt category.

WAC 220-415-040 Elk area descriptions.

The purpose of the proposed changes would eliminate Elk Area No. 1011 (Columbia County), Elk Area No. 1012 (Asotin County), and Elk Area No. 1082 (Asotin County).

WAC 220-415-050 2018-2020 Elk general seasons and definitions.

The purpose of the proposed change is to retain general season elk hunting opportunities for 2020. It also balances hunting opportunities between user groups, increases opportunities when elk populations allow, and reduces opportunities when declining elk numbers warrant a change.

The department will not develop specific recommendations regarding opportunities to harvest antlerless elk during the early archery general elk seasons in the Colockum (GMUs 328, 329) and Yakima (GMUs 336, 340, 352, 356, 364) elk herd areas until population surveys are completed in February and/or March. If population surveys indicate it is warranted, the department may also consider reducing opportunities for archery hunters to harvest antlerless elk during the late archery general elk seasons, and reducing modern firearm, and muzzleloader special permit opportunities. A general overview of the recommendations that may be considered dependent of herd status are provided below. Recommendations developed in response to surveys indicating a population decline will also depend on the severity of the decline.

Colockum Elk Herd: (GMUs 249, 251, 328, 329, 330, 334, 335)

<u>Herd Status</u>	<u>General Overview of Recommendation</u>
Decline	Significantly reduce or eliminate general season opportunities to harvest antlerless elk during archery seasons, except for those associated with addressing damage issues, and in areas where the department does not manage for large numbers of elk (e.g., GMU 334, 335). Also, reduce opportunities to harvest antlerless elk during modern firearm and muzzleloader permit seasons.
Stable	Significantly reduce or eliminate general season opportunities to harvest antlerless elk during archery seasons, except for those associated with addressing damage issues and in areas where the department does not manage for large numbers of elk (e.g., GMU 334, 335). Replace some of the lost opportunities with a limited number of permits to harvest antlerless elk. Retain opportunities to harvest antlerless elk during modern firearm and muzzleloader permit seasons.
Increase	Retain current general and special permit seasons.

Yakima Elk Herd: (GMUs 336, 340, 342, 346, 352, 356, 360, 364, 368, 371, 372)

<u>Herd Status</u>	<u>General Overview of Recommendation</u>
Decline	Significantly reduce or eliminate general season opportunities to harvest antlerless elk, except for those associated with addressing damage issues and in areas where the department does not manage for large numbers of elk (e.g., GMUs 371 and 372). Replace some of the lost opportunities with a limited number of permits to harvest antlerless elk. If warranted, also reduce opportunities during modern firearm and muzzleloader permit seasons.
Stable	Significantly reduce or eliminate general season opportunities to harvest antlerless elk, except for those associated with addressing damage issues and in areas where the department does not manage for large numbers of elk (e.g., GMU 371 and 372). Replace some of the lost opportunities with a limited number of permits to harvest antlerless elk. Retain current opportunities during modern firearm and muzzleloader permit seasons.
Increase	Retain current general and special permit seasons.

WAC 220-415-060 2019 Elk special permits.

The purpose of this proposal is to retain elk special permit hunting opportunities for 2020. It also balances elk hunting opportunities between user groups, increases elk hunting opportunities when elk populations allow, and reduces opportunities when declining elk numbers warrant a change. Lastly, it adds language that clarifies the bag limit is one elk, except where otherwise allowed by department rule, even if permits are drawn for more than one elk hunt category.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

This proposal adds language that clarifies the bag limit is one moose, except where otherwise allowed by department rule, even if permits are drawn for more than one moose hunt category. It also adjusts moose hunt permit limits to reflect population changes and recent harvest.

WAC 220-415-100 2018-2019 and 2019-2020 Cougar.

The proposed changes are designed to give the Commission four options to choose from relating to recreational cougar harvest guidelines. The non-status quo options are intended to extend seasons in areas where harvest has been historically high, and where cougar human conflict is also high. The intended result of the longer season is to shift a proportion of the cougar removal, currently carried out by agency personnel, to hunters:

- The first option is status quo with one caveat, the density we used to set the guideline is the median of five research projects that were conducted in Washington. The median is a better measure because it is not affected by outliers in the data. In the past we used the mean.

- The second option also uses a median density that is calculated using only adult cougars that are 24 months or older. This option reduces the guideline slightly, but sub-adult cougars harvested under this option would not count toward the guideline for season closure.
- The third option adjusts the guideline upward for units that exceeded the guideline by December 31 at least once in the past five years. The new guideline is based on the highest harvest in the past five years. In this option there is the assumption that density is higher in these areas. In two PMUs, the guidelines in this option were adjusted, so they did not exceed an assumed density 4.15 cougars per 100 square kilometers. This was intended to keep the density within an acceptable range based on research conducted in the western United States. This guideline includes adults and sub-adults.
- The fourth option is like option three, but only uses a density based on adult cougars and only counts adult cougars towards the guideline.

WAC 220-415-120 2019 Bighorn sheep seasons and permit quotas.

This proposal adds language that clarifies the bag limit is one bighorn sheep, except where otherwise permitted by department rule, even if permits are drawn for more than one bighorn sheep category. It also adjusts bighorn sheep hunt permit limits to reflect population changes and recent harvest. Lastly, this proposal creates separate permit opportunities for adult ewes and juvenile rams in the Selah Butte, Mount Baldy, and Umtanum hunt areas (collectively referred to as the Yakima Canyon herd).

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

This proposal adds language that clarifies the bag limit is one mountain goat, except where otherwise permitted by department rule, even if permits are drawn for more than one goat hunt category. It also adjusts mountain goat hunt permit limits to reflect population changes and recent harvest.

WAC 220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations.

The purpose of this proposal is to increase the number of hunter education incentive turkey permits from two to four.

WAC 220-416-040 Hunting predatory birds.

Removes the depredation part of the rule because it already exists in WAC 220-440-060.

WAC 220-416-060 2019-2020 Migratory gamebird seasons and regulations.

The proposal amends the rule to specify legal season dates, and bag limits for the 2020-2021 season.

Changes include:

- Adjusting season dates relative to 2020-2021 calendar dates.
- Maintain one-pintail per day bag-limit and associated possession limit per the USFWS Northern Pintail Harvest Strategy.
- Lowering scaup bag-limit to two-scaup per day and associated possession limits, while keeping an 86-day season length by the optimal regulatory alternative described in the Adaptive Harvest Management protocol.
- Shifting seven-days from the beginning of the first season segment to the end of the third season segment for white geese in Goose Management Area 4 (Columbia Basin).

WAC 220-440-060 Killing wildlife causing private property damage.

The proposed amendment to the rule intends to make our rule consistent with federal rules that pertain to crows and magpies.

Reasons supporting proposal:

WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five.

The proposed change will make the boundaries more discernable for hunters.

WAC 220-410-060 Game management units (GMUs) boundary descriptions—Region six.

The proposed change will make the boundaries more discernable for hunters.

WAC 220-412-050 Landowner raffle hunts.

This proposal simplifies the requirements for landowners that operate raffle drawings. It also aligns annual report submission dates with WAC 220-412-100.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

Bighorn sheep populations have increased in these areas, which warrants an expansion of the hunt area.

WAC 220-412-090 Multiple season big game permits.

The proposal clarifies the language and reduces hunter confusion regarding this rule.

WAC 220-412-100 Landowner hunting permits.

Over the past year, the department has held public meetings and active stakeholder/landowner meetings to assess the current views of the program. These comments have been taken into consideration as well as input from Washington Department of Fish and Wildlife (WDFW) staff which has resulted in the development of the new standard operating procedure for the landowner hunting permit (LHP) program. The proposed changes reflect the comments received from the public, WDFW staff and landowners. Historically, there haven't been many changes to the LHP program. However, due to the lack of consistency and the expansive variation in management styles across the state, this program has proven to be difficult to manage at a program level. These reasons were the main driving factor behind taking the appropriate steps to revise and make changes to the program.

WAC 220-413-180 Special closures and firearm restriction areas.

The "wooden towers" referenced in the Columbia River Restricted Hunting Area boundary description were torn down recently. As such, they could no longer be used as a discernable landmark to describe the boundary. Correcting the spelling of Newberry Hill Road will eliminate confusion for hunters.

WAC 220-413-200 Reducing the spread of hoof disease—Unlawful transport of elk hooves.

This rule, originally adopted in 2014, attempted to reduce the risk of inadvertently spreading the causative agents of treponeme associated hoof disease (TAHD) in elk. Since that time, however, TAHD has been confirmed throughout western Washington, east of the Cascade Mountains near the town of Trout Lake, and in the Blue Mountains of southeast Washington. The continued expansion of this disease appears to indicate this rule was ineffective at preventing disease expansion. Other reasons for supporting this rule are:

1. For surveillance purposes, we want to encourage elk hunters in eastern Washington to submit suspicious hooves.
2. The current rule is not being enforced, but rather used by Enforcement Officers as an educational opportunity.
3. We have no scientific findings that support the implementation of this rule.
4. The Department is working on developing management strategies that will be proposed during the next 3-year season cycle, which would incentivize elk hunters in western Washington to target limping elk but would also require them to submit their hooves to the Department for inspection.
5. Neighboring states (Idaho and Oregon), where TAHD has been detected, do not have a similar rule.

Although the Department is proposing to abolish this rule, we would still encourage hunters to leave hooves from the elk they harvest on site.

WAC 220-415-020 2018-2020 Deer general seasons and definitions.

This proposal provides recreational deer hunting opportunities and protects deer from overharvest. The proposal would also maintain sustainable general deer hunting season opportunities for 2020. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

WAC 220-415-030 2019 Deer special permits.

This proposal provides recreational deer hunting opportunities and protects deer from overharvest. The proposal would also maintain sustainable deer special permit hunting season opportunities for 2020. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language does not specify a bag limit, some hunters interpret this to mean they can shoot one deer per permit or one deer in addition to their general season harvest, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

WAC 220-415-040 Elk area descriptions.

All three elk areas were created to address issues related to elk causing damage to agricultural crops. Damage issues in all three areas have declined following the substantial declines in elk numbers. As such, these elk areas are no longer needed and there is not an anticipated need in the foreseeable future.

WAC 220-415-050 2018-2020 Elk general seasons and definitions.

Overall, the proposal provides recreational elk hunting opportunities, helps address elk agricultural damage problems, and provides elk population control when needed. The department is postponing the development of specific recommendations for the Colockum and Yakima elk herds. These two herds have experienced substantial declines since 2015, with late-winter surveys in 2019 showing the Yakima herd was approximately 13% below objective and the Colockum herd approximately 8% below. Declines have been the result of increased antlerless harvest, severe drought and winter conditions, and depressed recruitment of calves. Moreover, preliminary counts of elk on feed sites for the Yakima elk herd in January 2020, show calf recruitment rates are likely to be lower than normal for the fourth consecutive year. The department is concerned about the status of both herds and plans to develop recommendations that are likely to promote population growth.

WAC 220-415-060 2019 Elk special permits.

This proposal provides recreational elk hunting opportunities and protects elk from overharvest. The proposal would maintain sustainable elk special permit hunting opportunities for 2020. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language does not specify a bag limit, some hunters interpret this to mean they can shoot one elk per permit or one elk in addition to their general season harvest, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language shows the bag limit is one moose, some hunters interpret this to mean one moose per permit, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

Permits for 'Any Antlered Bull Moose' in Spokane West A were increased because surveys showed a good bull to cow ratio. Permits for 'Antlerless Only' were reduced in Mt Spokane South B, Mt Spokane North B, and Mica Peak because surveys showed calf recruitment rates and the overall number of moose biologists observed were lower than normal.

WAC 220-415-100 2018-2019 and 2019-2020 Cougar.

The proposal gives the Commission biologically sustainable options for the cougar hunting seasons.

WAC 220-415-120 2019 Bighorn sheep seasons and permit quotas.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language indicates the bag limit is one bighorn ram, except in designated adult ewe hunts the limit is one bighorn adult ewe, some hunters interpret this to mean one sheep per permit, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

The department is proposing to develop unique permit opportunities for adult ewes and juvenile rams for the Yakima Canyon herd. This proposal is in association with our efforts to reduce the size of the herd and eliminate *Mycoplasma ovipneumoniae* (M. Ovi.) from this herd. The department first implemented these permits during the 2019 season with special restriction identified as an Adult Ewe or Juvenile Ram, but most resulting harvest consisted of rams, including rams that were not juveniles. As such, very few ewes were harvested as intended, which calls for the proposed change.

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language shows the bag limit is one adult goat of either sex with horns four inches or longer, some hunters interpret this to mean one adult goat per permit, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

WAC 220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations.

This change increases the incentive for hunter education instructors without harm to turkey populations.

WAC 220-416-040 Hunting predatory birds.

Reduces redundancy and simplifies the rule.

WAC 220-416-060 2019-2020 Migratory gamebird seasons and regulations.

Migratory waterfowl and other gamebird (coot, dove, band-tailed pigeon, and snipe) seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway and the U.S. Fish and Wildlife Service, considering population status and other biological parameters. The rule establishes waterfowl seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the migratory waterfowl resources of Washington.

WAC 220-440-060 Killing wildlife causing private property damage.

This proposal makes our rule consistent with federal rule.

Statutory authority for adoption: RCWs 77.04.012, 77.04.055, 77.12.047, and 77.12.240

Statute being implemented: RCWs 77.04.012, 77.04.055, 77.12.047, and 77.12.240

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:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Washington Department of Fish and Wildlife

Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Eric Gardner	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2515
Implementation:	Eric Gardner	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2515
Enforcement:	Steve Bear	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2373

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

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:
TTY:
Email:
Other:

No: Please explain:

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

- This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:
- | | |
|---|---|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025 (4).

Explanation of exemptions, if necessary:

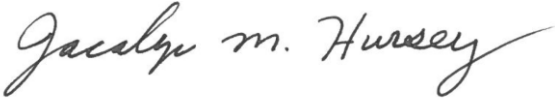
COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: February 5, 2020	Signature: 
Name: Jacalyn Hursey	
Title: Rules Coordinator	