

## Commission and Department Authorities

The establishment of hunting seasons and management of game species is consistent with the authorities granted the Fish and Wildlife Commission and Department of Fish and Wildlife by the Washington State Legislature through Title 77 of the Revised Code of Washington. The Fish and Wildlife Commission develops and adopts hunting regulations (i.e., rules in the Washington Administrative Code) per the authority granted under Title 77 authority. In addition, various Commission and Department policies and procedures, including this Game Management Plan (GMP) guide game management.

The Washington Fish and Wildlife Commission and Department of Fish and Wildlife are responsible for the management and protection of fish and wildlife resources in Washington State. The Legislative mandate (RCW 77.04.012) for the Commission and the Department includes the following directives for wildlife management:

- The Commission, director, and the Department shall preserve, protect, perpetuate, and manage the wildlife...
- The Department shall conserve the wildlife resources in a manner that does not impair the resource. The Commission may authorize the taking of wildlife only at times or places, or in manners or quantities, as in the judgment of the Commission does not impair the supply of these resources.
- The Commission shall attempt to maximize the public recreational hunting opportunities of all citizens, including juvenile, disabled, and senior citizens (see Title 77 Revised Code of Washington).

The process of establishing hunting seasons, bag limits, and geographical areas where hunting is permitted is exempt from State Environmental Policy Act (SEPA) rules through WAC 197-11-835. In addition, feeding of game, issuing licenses, permits, tags, routine release of wildlife, or re-introductions of native wildlife are also listed as exemptions from SEPA rules. However, policy development, planning, and some other game management actions are not considered exempt from SEPA rules.

### **Findings and intent. RCW 77.04.013**

The legislature finds that all fish, shellfish, and wildlife species should be managed under a single comprehensive set of goals, policies, and objectives, and that the decision-making authority should rest with the fish and wildlife commission. The commission acts in an open and deliberative process that encourages public involvement and increases public confidence in department decision making.

### **Commission—Duties. RCW 77.04.055**

(1) In establishing policies to preserve, protect, and perpetuate wildlife, fish, and wildlife and fish habitat, the commission shall meet annually with the governor to:

- (a) Review and prescribe basic goals and objectives related to those policies; and
- (b) Review the performance of the department in implementing fish and wildlife policies.

The commission shall maximize fishing, hunting, and outdoor recreational opportunities compatible with healthy and diverse fish and wildlife populations.

(2) The commission shall establish hunting, trapping, and fishing seasons and prescribe the time, place, manner, and methods that may be used to harvest or enjoy game fish and wildlife.

(3) The commission shall establish provisions regulating food fish and shellfish as provided in RCW [77.12.047](#).

(4) The commission shall have final approval authority for tribal, interstate, international, and any other department agreements relating to fish and wildlife.

(5) The commission shall adopt rules to implement the state's fish and wildlife laws.

(6) The commission shall have final approval authority for the department's budget proposals.

(7) The commission shall select its own staff and shall appoint the director of the department. The director and commission staff shall serve at the pleasure of the commission.

**"Big game" defined. RCW 77.08.030**

As used in this title or rules of the commission, "big game" means the following species:

Scientific Name	Common Name
Cervus canadensis	elk or wapiti
Odocoileus hemionus	blacktail deer or mule deer
Odocoileus virginianus	whitetail deer
Alces americana	Moose
Oreamnos americanus	mountain goat
Rangifer caribou	Caribou
Ovis canadensis	mountain sheep
Antilocapra americana	pronghorn antelope
Felis concolor	cougar or mountain lion
Euarctos americana	black bear
Ursus horribilis	grizzly bear

**Wildlife to be classified. RCW 77.12.020**

(1) The director shall investigate the habits and distribution of the various species of wildlife native to or adaptable to the habitats of the state. The commission shall determine whether a species should be managed by the department and, if so, classify it under this section.

(2) The commission may classify by rule wild animals as game animals and game animals as fur-bearing animals.

(3) The commission may classify by rule wild birds as game birds or predatory birds. All wild birds not otherwise classified are protected wildlife.

(4) In addition to those species listed in RCW [77.08.020](#), the commission may classify by rule as game fish other species of the class Osteichthyes that are commonly found in fresh water except those classified as food fish by the director.

(5) The director may recommend to the commission that a species of wildlife should not be hunted or fished. The commission may designate species of wildlife as protected.

(6) If the director determines that a species of wildlife is seriously threatened with extinction in the state of Washington, the director may request its designation as an endangered species. The commission may designate an endangered species.

(7) If the director determines that a species of the animal kingdom, not native to Washington, is dangerous to the environment or wildlife of the state, the director may request its designation as deleterious exotic wildlife. The commission may designate deleterious exotic wildlife.

**Recreational and commercial licenses, permits, tags, stamps, and raffle tickets issued by authorized officials—Rules—Fees. RCW 77.32.050**

(1) All recreational and commercial licenses, permits, tags, stamps, and raffle tickets shall be issued under the authority of the commission. The commission shall adopt rules for the issuance of licenses, permits, tags, stamps, and raffle tickets, and for the collection, payment, and handling of license fees, including terms and conditions to govern dealers, and dealer fees.

**Commented [AA(1):** Potential to summarize intent and create an appendix that includes the RCWs and WACs

**Guiding Principles**

In addition, various policies and procedures guided the Commission and Department in developing the Game Management Plan (GMP). In particular, the Washington Department of Fish and Wildlife Hunting Season Guidelines (August 1999), further amended by the Commission in 2014, provide further guidance for this GMP.

Hunting seasons and regulation recommendations should be based on science. When biological information is lacking or insufficient, management decisions should be sufficiently conservative to ensure protection of wildlife resources. At no time should decisions favor income to the agency or recreational opportunity to the detriment of conservation of wildlife populations.

The following principles overarch all the Game Management Plans and should be considered in those plans or through Commission policy when warranted. The principles are not prioritized but are grouped into categories based on their primary theme.

**Ecosystem and Habitat**

- Recommend seasons and bag limits that consider the effects to ecosystem health.
- Recommend seasons and bag limits that consider the effects of climate change on habitat, weather, and populations.

**Commented [AA(2):** Wildlife Committee members may modify

**Population Management**

- In general, hunting seasons shall be consistent with species planning objectives and provide maximum recreation opportunity while achieving population goals.
- The migratory bird, small game and upland game regulations shall provide maximum hunting opportunity considering federal guidelines, flyway management plan elements, and Department management objectives.
- The goat, sheep, and moose permit hunting rules shall maintain high quality opportunities consistent with resource availability.
- The hunting season closures, and firearm restrictions shall be sufficient to assure resource conservation and public safety.

**Social and Economic**

- Consider management objectives that are socially derived, as a valid justification for hunting and trapping season recommendations (e.g., Agriculture damage, quality hunt opportunity, address disease, and social tolerance).
- Private landowner hunting issues such as season length, damage control, and trespass should be given consideration when developing hunting season recommendations.

#### Allocation of Resource

- Hunting rules shall provide separate deer and elk general season recreational opportunities for archers, muzzleloaders, and modern firearm hunters.
- Special deer and elk permit hunt opportunities shall be allocated among three principal user groups (archery, muzzleloader, and modern firearm) using the approved formula of success/participation rate.
- Disabled hunter opportunities shall emphasize equal access consistent with the Americans with Disabilities Act.
- For disabled hunters, youth hunters, and hunters over 65, strategies for enhanced opportunity shall include special consideration during general seasons, opportunities for special access, and other incentives rather than special permit hunts.
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**Commented [AA(3)]:** New principle was suggested to consider wildlife watchers and outdoor recreationists when recommending Hunting seasons.

#### Fair Chase, Safety, and Regulations

- When setting regulations, the Department should consider high standards of hunter ethics and principles of fair chase.
- In general, hunting seasons and boundaries of game management units should be easy to understand while maintaining hunting opportunity and management options.
- Weapon and Hunting equipment is always evolving. Strive to maintain the primitive aspects of muzzleloaders and archery equipment. Restrictions to all implements should maintain public safety; protect the resource; allow wide latitude for individuals to make equipment choices; be easy to understand and allow effective enforcement.
- Offer the public high quality hunter education and firearm safety training.

#### Process

- Use a three-year season setting process to address complex issues and provide consistent general seasons from year to year. Annual permit and season changes will be considered to address emergent resource issues; natural disasters; and to meet requirements of federal guideline changes; etc.
- Establishing hunting seasons shall be consistent with the Commission Policy C-3607 regarding cooperatively managing wildlife resources with the tribes.
- The public shall be offered substantial and timely opportunity to make comments on and recommendations for the three-year hunting rules decision-making process. These opportunities must comply with the state's Regulatory Reform Act.

- Public involvement for annual permit season setting shall include at a minimum, a standard written comment period and one public meeting where comments will be considered.
- Continuity in hunting seasons over time is highly valued by the public; therefore, Department recommendations for significant changes to seasons should be adequately explained to the public and should address a resource management need.

Implementing the legislative mandate and the Commission guidelines for game species requires knowledge of game population trends and impacts of hunting regulations, development and management of hunting seasons and actions that support and maximize public recreation, and conservation of wildlife resources. The Fish and Wildlife Commission adopts major hunting seasons every three years. Minor adjustments are made annually, such as modifying permit levels or addressing crop damage or nuisance problems. Migratory waterfowl seasons are adjusted annually in coordination with the U.S. Fish and Wildlife Service and the Pacific Flyway Council.

The process for developing hunting seasons typically includes the following steps:

1. Staff determine the status of game populations and impacts of previous harvest strategies;
2. Staff engage in preliminary discussion of ideas with the tribes, the public, state and federal agencies, and WDFW biologists and managers;
3. Staff develop a set of season and regulation alternatives;
4. Staff prepare formal submissions pursuant to the Administrative Procedures Act of the draft regulations and identify the period for public comment;
5. Staff receive, consider, and summarize public comments;
6. Staff develop final recommendations for hunting season rules; and
7. The Fish and Wildlife Commission considers staff recommendations, public comments, and related information and adopts regulations governing hunting seasons.