



Fish and Wildlife Commission Presentation Summary Sheet

Meeting date:

8/9/2024

Agenda item:

Trapping Rule

Presenter(s): Stephanie Landry, Furbearer Section Manager, Wildlife Program

Background summary:

The purpose of this rule is to close fox trapping within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot national forests to prevent accidental take of state endangered Cascade red fox (*Vulpes vulpes cascadensis*). The Cascade red fox is at risk of being captured via recreational trapping activities within these areas where they overlap with the regular species of red fox (*V. vulpes*) which is not state or federally listed. Therefore, closing red fox trapping in these areas will prevent accidental take of the state endangered Cascade red fox.

Staff recommendation:

Recommended adoption of the rules as presented by Department staff.

Policy issue(s) and expected outcome:

No policy issues.

Fiscal impacts of agency implementation:

None.

Public involvement process used and what you learned:

Briefing only

Action requested and/or proposed next steps:

Briefing only

Draft motion language:

Briefing only.

Post decision communications plan:

Briefing only.



PROPOSED RULE MAKING

CR-102 (June 2024) (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: July 03, 2024

TIME: 12:00 PM

WSR 24-14-151

Agency: Washington Department of Fish and Wildlife (WDFW) P2023-18

- Original Notice**
- Supplemental Notice to WSR** _____
- Continuance of WSR** _____

- Preproposal Statement of Inquiry was filed as WSR 24-01-142** filed on December 20, 2023 ; 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) WAC 220-417-010 Trapping seasons and regulations.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
August 9-10, 2024	8:00 a.m.	Natural Resources Building (NRB) – Room 175 1111 Washington Street SE Olympia, WA 98504	Information on how to register to testify at the public hearing is available at: http://wdfw.wa.gov/about/commission.meetings , or contact the Commission office at (360)-902-2267

Date of intended adoption: On or after September 27, 2024 (Note: This is **NOT** the effective date)

Submit written comments to:

Name Wildlife Program
 Address PO Box 43200, Olympia, WA. 98504
 Email 2024trappingcr102@publicinput.com
 Fax (360) 902-2162
 Other <https://publicinput.com/2024trappingcr102>
 By phone: 855-925-2801, code 7087
 Beginning (date and time) July 3, 2024
 By (date and time) August 9, 2024 by 11:59 p.m.

Assistance for persons with disabilities:

Contact Title VI/ADA Compliance Coordinator
 Phone (360) 902-2349
 Fax
 TTY 1-800-833-6388 or 711
 Email Title6@dfw.wa.gov
 Other <http://wdfw.wa.gov/accessibility/requests-accommodation>
 By (date) August 9, 2024

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

The proposed rule would amend WAC 220-417-010 - Trapping Seasons and Regulations to restrict trapping of red fox. The proposed change would close fox trapping within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests to prevent accidental take of state endangered Cascade red fox.

Reasons supporting proposal: The state endangered Cascade red fox (*Vulpes vulpes cascadenensis*) is at risk of being captured via recreational trapping activities within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests where they overlap with the regular species of red fox (*V. vulpes*) which is not state or federally listed. Therefore, closing red fox trapping in these areas will prevent accidental take of the state endangered Cascade red fox.

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

Statute being implemented: RCWs 77.04.012, 77.04.055, 77.12.047

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) WDFW
Type of proponent: 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: This proposal does not require a cost benefit analysis under RCW 34.05.328

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). 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 type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input 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\(4\)](#). (Does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under RCW _____.
- Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of 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 minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

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

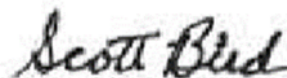
Name
Address
Phone
Fax
TTY
Email
Other

Date: July 3, 2024

Name: Scott Bird

Title: WDFW Rule Coordinator

Signature:



WAC 220-417-010 Trapping seasons and regulations. (1) Statewide trapping seasons:

SPECIES	SEASON DATES	RESTRICTIONS
Badger, Beaver, Bobcat, Mink, Muskrat, Raccoon, (Red Fox) River Otter, and Weasel	Nov. 1 - Mar. 31 during the current license year	
Marten	Nov. 1 - Mar. 31 during the current license year	CLOSED in Clallam, Jefferson, Mason, and Gray's Harbor counties.
<u>Red Fox</u>	<u>Nov. 1 - Mar. 31 during the current license year</u>	<u>CLOSED within the exterior boundaries of Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests.</u>

(2) Participation requirements:

- (a) A valid Washington state trapper's license is required.
- (b) To be issued your first Washington state trapping license an individual must pass the Washington state trapper education exam.
- (c) Licensed trappers must comply with reporting requirements in WAC 220-417-020.