

**2012-13, 2013-14, AND 2014-15 SMALL GAME SEASONS
WAC 232-28-342**

TABLE OF CONTENTS

	<u>Page</u>
Summary Sheet	<i>i</i>
WAC 232-28-342 - 2012-13, 2013-14, and 2014-15 small game seasons	1
Summary of Written Public Input.....	20
CR 102	21

Summary

Meeting dates: March 7-8, 2014

Agenda Item: WAC 232-28-342: 2012-13, 2013-14, and 2014-15 Small game seasons

Presenter(s): Greg Schirato, Deputy Director, Wildlife Program

Background summary:

Department staff will brief the Commission on proposed amendments to WAC 232-28-342 2012-13, 2013-14, and 2014-15 Small game seasons. The revised WAC describes season timing, hunting requirements, applicable permit levels, and bag limits for the following species: bobcat, raccoon, fox, coyote, forest grouse, pheasant, chukar, gray partridge, mountain quail, California quail, bobwhite, quail, wild turkey, Canada goose, band-tailed pigeon, mourning dove, cottontail rabbit, snowshoe hare, and crow; as well as falconry and dog training seasons.

The amendments proposed for this rule are confined to migratory waterfowl seasons. Migratory waterfowl season frameworks are established through ongoing interagency management programs involving U.S. Fish and Wildlife Service (USFWS) and flyway organizations. Federal frameworks for September waterfowl seasons are adopted by USFWS in late June each year, and include maximum bag limits, season lengths, season timing, and other regulations.

In June 2013, USFWS increased possession limits for all migratory birds from twice the daily bag limit to three times the daily bag limit. The Commission adopted these changes for most migratory bird seasons in August 2013. Changes proposed in the current action increase the possession limit to three times the daily bag for the remaining migratory bird seasons: mourning dove (including falconry), band-tailed pigeon, and September Canada goose (except for the two day eastern Washington September season).

The eastern Washington September Canada goose season was initiated in several counties in 1996 and expanded to all of eastern Washington in 1997. When WAC 232-28-342 was amended in 2012, the two day season in eastern Washington was established to occur as late as possible in the federal framework, September 14-15, 2012, 2013, and 2014. Based on public input, the Department is recommending that the two day hunt occur on weekends in the future, to allow for increased opportunity for participation. The 2014 season dates are proposed for September 13 and 14.

During the 1950s, a flock of dusky Canada geese were transplanted by USFWS from their breeding range on the Copper River Delta in Alaska to southwest Washington. After the nesting expansion program was discontinued in 1971, scattered members of the original flock began to pioneer new nesting sites in the area, and have increased in numbers since that time. These geese present management problems because they are confused with migrant geese during surveys and hunting seasons in fall and winter, and they may be hybridizing with area resident western Canada geese. Hunters who take these geese can lose their hunting privileges in SW Washington for the remainder of the year. Because of these problems, a recent working group of Pacific Flyway representatives and other agency personnel from Washington, Oregon, and USFWS recommended a long term goal of reducing the number of these geese through increased harvest opportunity. Recent evidence shows that most of these geese occur in Pacific County during September, so increases in the bag and possession limits are proposed for this county in 2014.

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

- Standardize possession limits among all migratory bird seasons
- Increase recreational opportunity on resident Canada geese

Public involvement process used and what you learned:

These proposed amendments were mailed to over 9000 organizations and individuals in January for review and consideration. These organizations and individuals were also informed of the opportunity to provide public testimony at the March Commission meeting in Moses Lake.

Action requested:

Take public comment. Action is planned for the April 2014 Commission meeting in Olympia.

Draft motion language:

N/A

Justification for Commission action:

N/A

Communications plan:

WDFW Website
News Releases
Hunting Pamphlet

AMENDATORY SECTION (Amending WSR 13-11-078, filed 5/16/13, effective 6/16/13)

WAC 232-28-342 2012-13, 2013-14, 2014-15 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) BAG AND POSSESSION LIMITS: 4 grouse per day, straight or mixed bag, with a total of 12 grouse in possession at any time.

(b) SEASON DATES: Sept. 1 - Dec. 31, 2012, 2013, 2014.

(2) **BOBCAT**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(c) RESTRICTION: It is unlawful to hunt bobcat with dogs.

(3) **RACCOON**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide, EXCEPT closed on Long Island within Willapa National Wildlife Refuge.

(c) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(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 and GMUs 407 and 410.

(c) SEASON DATES:

(i) Sept. 1, 2012 - Mar. 15, 2013;

(ii) Sept. 1, 2013 - Mar. 15, 2014; and

(iii) Sept. 1, 2014 - Mar. 15, 2015.

(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:

(i) Sept. 1, 2012 - Mar. 15, 2013;

(ii) Sept. 1, 2013 - Mar. 15, 2014; and

(iii) Sept. 1, 2014 - Mar. 15, 2015.

(7) CROWS

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES:

(i) Sept. 1, 2012 - Dec. 31, 2012;

(ii) Sept. 1, 2013 - Dec. 31, 2013; and

(iii) Sept. 1, 2014 - Dec. 31, 2014.

(8) JACKRABBIT:

Closed statewide.

(9) PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE:

Closed statewide.

(10) WILD TURKEY:

(a) YOUTH SEASON

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES:

(A) April 7-8, 2012;

(B) April 6-7, 2013;

(C) April 5-6, 2014; and

(D) April 4-5, 2015.

(b) **SPRING SEASON**

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES:

(A) April 15 - May 31, 2012;

(B) April 15 - May 31, 2013;

(C) April 15 - May 31, 2014; and

(D) April 15 - May 31, 2015.

(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 NORTHEAST BEARDLESS TURKEY SEASON**

(i) LEGAL BIRD: Beardless only.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 105-142.

(iv) SEASON DATES:

(A) Sept. 22 - Oct. 12, 2012;

(B) Sept. 21 - Oct. 11, 2013; and

(C) Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: Two (2) beardless turkeys (in addition to other fall turkey harvest).

(d) **EARLY FALL GENERAL SEASON**

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 101, 124-142, 145-154, and 162-186.

(iv) SEASON DATES:

(A) Sept. 22 - Oct. 12, 2012;

(B) Sept. 21 - Oct. 11, 2013; and

(C) Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: One (1) turkey (in addition to other fall turkey harvest).

(e) **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*
Klickitat	Sept. 22 - Oct. 12, 2012, Sept. 21 - Oct. 11, 2013, Sept. 20 - Oct. 10, 2014	Either sex	GMUs 382, 388, 568-578	150	1
Methow	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMU 335	50	1

*BAG LIMIT: During the fall permit hunting seasons.

(f) **LATE FALL SEASON**

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(iii) OPEN AREA: GMUs 105-154, 162-186.

(iv) SEASON DATES:

(A) Nov. 20 - Dec. 15, 2012;

(B) Nov. 20 - Dec. 15, 2013; and

(C) Nov. 20 - Dec. 15, 2014.

(v) BAG LIMIT: One (1) turkey.

(g) **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. Instructors who are drawn, accept a permit, and are able to participate in the hunt will not be eligible for a hunter education instructor incentive permit for 10 years after they are drawn for the incentive permit.

(iii) OPEN AREA: Statewide.

(iv) SEASON DATES: April 1 - May 31, 2012, 2013, 2014, 2015.

(v) PERMITS: 2 individuals will be drawn for this permit per year.

(h) OFFICIAL HUNTING HOURS FOR WILD TURKEY:

1/2 hour before sunrise to sunset during spring and fall seasons.

(i) SPECIAL RULES FOR WILD TURKEY:

(i) Turkey season is open for shotgun shooting #4 shot or smaller, archery, and muzzleloader shotgun shooting #4 shot or smaller.

(ii) It is unlawful to hunt turkey unless the hunter possesses a turkey tag.

(iii) It is unlawful to hunt turkeys with dogs.

(iv) 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, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

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

(i) Sept. 24-28, 2012;

(ii) Sept. 23-27, 2013; and

(iii) Sept. 22-26, 2014.

(d) REGULAR SEASON DATES:

(i) Oct. 20, 2012 - Jan. 13, 2013;

(ii) Oct. 19, 2013 - Jan. 12, 2014; and

(iii) Oct. 18, 2014 - Jan. 11, 2015.

(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, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

(ii) Oct. 5, 2013 - Jan. 20, 2014; and

(iii) Oct. 4, 2014 - Jan. 19, 2015.

(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, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

(ii) Oct. 5, 2013 - Jan. 20, 2014; and

(iii) Oct. 4, 2014 - Jan. 19, 2015.

(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, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

(ii) Oct. 5, 2013 - Jan. 20, 2014; and

(iii) Oct. 4, 2014 - Jan. 19, 2015.

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, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) **HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER SEASON DATES:**

(i) Sept. 24-28, 2012;

(ii) Sept. 23-27, 2013; and

(iii) Sept. 22-26, 2014.

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

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014.

(e) **EXTENDED SEASON DATES:**

(i) Dec. 1-15, 2012, 2013, 2014.

(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 will 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 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, 2012;
- (ii) Sept. 28 - Nov. 30, 2013; and
- (iii) Sept. 27 - Nov. 30, 2014.

(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, 2012;
- (ii) Sept. 28 - Nov. 30, 2013; and
- (iii) Sept. 27 - Nov. 30, 2014.

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:

(i) Aug. 1, 2012 - Mar. 15, 2013;

(ii) Aug. 1, 2013 - Mar. 15, 2014; and

(iii) Aug. 1, 2014 - Mar. 15, 2015.

(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:

(i) Sept. 1, 2012 - Feb. 15, 2013;

(ii) Sept. 1, 2013 - Feb. 15, 2014; and

(iii) Sept. 1, 2014 - Feb. 15, 2015.

(21) **MOURNING DOVE - FALCONRY**

(a) BAG AND POSSESSION LIMITS: 3 mourning doves per day, straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. The possession limit is (~~twice~~) three times the daily limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1 - Dec. 16, 2012, 2013, 2014.

(22) 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:

(i) Aug. 1, 2012 - Mar. 15, 2013;

(ii) Aug. 1, 2013 - Mar. 15, 2014; and

(iii) Aug. 1, 2014 - Mar. 15, 2015.

OTHER SEASONS:

(23) CANADA GOOSE SEPTEMBER SEASON

(a) WESTERN WASHINGTON:

(i) BAG AND POSSESSION LIMITS:

(A) 5 Canada geese per day; hunters may possess up to ((10)) 15 Canada geese at any time, EXCEPT:

(B) In Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: 3 Canada geese per day; hunters may possess up to ((6)) 9 at any one time.

(C) In Pacific County: 15 Canada geese per day; hunters may possess up to 45 at any one time.

(ii) SEASON DATES: Sept. 10-15, 2012, 2013, and 2014, EXCEPT Pacific County: Sept. 1-15, 2012, 2013, and 2014.

(b) EASTERN WASHINGTON:

(i) BAG AND POSSESSION LIMITS: 3 Canada geese per day; hunters may possess up to 6 at any one time.

(ii) SEASON DATES: Sept. 14-15, 2012, 2013, and Sept. 13-14, 2014.

(24) **MOURNING DOVE**

(a) BAG AND POSSESSION LIMITS: 10 mourning doves per day. Hunters may possess up to ((20)) 30 mourning doves at any one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1-30, 2012, 2013, 2014.

(25) **BAND-TAILED PIGEON**

(a) BAG AND POSSESSION LIMITS: 2 band-tailed pigeons per day. Hunters may possess up to ((4)) 6 band-tailed pigeons at any one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 15-23, 2012, 2013, 2014.

(d) WRITTEN AUTHORIZATION IS REQUIRED TO HUNT BAND-TAILED PIGEONS:

(i) Hunters must possess a special migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. Immediately after taking a band-tailed pigeon into possession, hunters must record the required information in ink on

the harvest record card. Hunters must report harvest information from band-tailed pigeon harvest record cards to the Washington department of fish and wildlife (WDFW) so that the department receives the information by September 30 following the current season. Every person issued a migratory bird hunting authorization and harvest record card must return the entire card to WDFW or report the card information at the designated internet site listed on the harvest record card. If a hunter fails to report his or her harvest by the reporting deadline, he or she is in violation of reporting requirements.

(ii) Beginning with the 2013 license year, hunters who do not report band-tailed pigeon hunting activity by the reporting deadline for any harvest record card are required to pay a ten dollar administrative fee before any new migratory bird authorization and harvest record card is issued. A hunter may only be penalized a maximum of ten dollars during a license year.

(26) **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 232-12-271 and 232-12-044).

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1, 2012 - Mar. 31, 2013; Aug. 1, 2013 - Mar. 31, 2014; Aug. 1, 2014 - Mar. 31, 2015.

(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 - South L. T. Murray 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.

(27) **YAKAMA INDIAN RESERVATION:**

The 2012-13, 2013-14, and 2014-15 upland bird seasons within the Yakama Indian Reservation are the same as the season established by the Yakama Indian Nation.

(28) COLVILLE INDIAN RESERVATION:

The 2012-13, 2013-14, and 2014-15 upland bird seasons within the Colville Indian Reservation are the same as the season established by the Colville Indian Tribe.

HIP REQUIREMENTS:

(29) 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.

(30) Youth hunters are required to complete a HIP survey and possess a free Washington Youth Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

[Statutory Authority: RCW 77.12.047, 77.12.240, and 77.32.070. WSR 13-11-078 (Order 13-94), § 232-28-342, filed 5/16/13, effective 6/16/13.

Statutory Authority: RCW 77.12.047. WSR 12-11-005 (Order 12-70), § 232-28-342, filed 5/2/12, effective 6/2/12. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530. WSR 10-10-061 (Order 10-94), § 232-28-342, filed 4/30/10, effective 5/31/10. Statutory Authority: RCW 77.12.047,

77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240. WSR 09-09-083 (Order 09-53), § 232-28-342, filed 4/15/09, effective 5/16/09. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. WSR 08-09-090 (Order 08-78), § 232-28-342, filed 4/18/08, effective 5/19/08. Statutory Authority: RCW 77.12.047. WSR 06-11-031 (Order 06-91), § 232-28-342, filed 5/8/06, effective 6/8/06.]

SUMMARY OF WRITTEN PUBLIC INPUT
WAC 232-28-342:
2012-13, 2013-14 AND 2014-15 SMALL GAME SEASONS

Comments	Agency Response
<p>I am writing this Email to encourage the return of the MLK Holiday as the end to the E. WA Pheasant Season. The closing of the E.WA Season a week prior to the quail and partridge seasons is not only confusing, but lacks any sound biological reasoning.</p>	<p>Changes proposed for this rulemaking are specific to September migratory bird seasons. Additional changes to small game seasons and regulations will be considered as part of the 2015-17 three year hunting season package, planned for presentation to the Commission in March 2015. In the past, late closures have raised concern among landowners and some hunters, because as the likelihood of snow increases, so does the potential development of unethical hunting situations. The three year process provides a greater opportunity for the public to weigh in on these kinds of issues.</p>
<p>I would like to recommend that the waterfowl season start on Oct 18 next season and end on Jan 31. The trouble with starting it on the 11 of Oct is that it can be so warm at that time that it is hard to keep the birds cool so that they are good table fare. And the last few days of Jan that we didn't get this season for geese is resulting in some real damage to some Timothy grass fields near the Burbank Refuge.</p>	<p>October – January waterfowl seasons are set at the August Commission meeting. This suggestion will be considered at that time.</p>
<p>I would like to see the WDFW legalize the use of dogs during the fall turkey season. It is legal to hunt all other game birds with dogs in Washington State, including forest grouse which inhabit same areas as wild turkeys. Fall turkey hunting with dogs is a time honored and sporting tradition that should be available to Washington State turkey hunters.</p>	<p>Changes proposed for this rulemaking are specific to September migratory bird seasons. Additional changes to small game seasons and regulations will be considered as part of the 2015-17 three year hunting season package, planned for presentation to the Commission in March 2015. Major changes to hunting rules such as this are a better fit for consideration in the three year process.</p>
<p>I have been hunting a wide area around Randle wa. for almost 50 years. The last 10 - 15 years has seen the game population drop drastically. Several things have contributed. These things seriously need to be addressed. The hound pursuit of cougar and bear basically had a stop put on it, bear isn't so bad because they eat other things than meat.</p>	<p>Changes proposed for this rulemaking are specific to September migratory bird seasons. Additional changes to small game seasons and regulations will be considered as part of the 2015-17 three year hunting season package, planned for presentation to the Commission in March 2015.</p>



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Department of Fish and Wildlife

Preproposal Statement of Inquiry was filed as WSR 13-14-015 on 06/21/13; and WSR 13-24-098 on 12/03/13; 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).

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

The subject of this proposed rule-making effort is the amendment of deer and elk seasons and permits; cougar seasons and regulations; black bear seasons and regulations; mountain goat, bighorn sheep, and moose seasons, permits, and regulations; bighorn sheep marking requirements; game bird regulations; small game seasons; landowner hunting permit program; deer and elk area boundaries; game management units, special closures and firearm restriction areas; unlawful methods for hunting; hunting equipment rules; special hunting season permits, hunters with disabilities, and other hunting regulations. This rule making proposal also incorporates a CR-101 filed on June 21, 2013, regarding archery special use permits for people with a disability.

Hearing location(s):

Moses Lake Civic Center
401 S. Balsam
Moses Lake, Washington 98837

Date: March 7-8, 2014 Time: 8:30 a.m.

Submit written comments to:

Name: Wildlife Program Commission Meeting Public Comments
Address: 600 Capitol Way North
Olympia, WA 98501-1091
Wildthing@dfw.wa.gov

Fax: (360) 902-2162 by (date) February 14, 2014

Assistance for persons with disabilities:

Contact Tami Lininger by February 21, 2014

TTY (800) 833-6388 or (360) 902-2267

Date of intended adoption: on or after April 11, 2014

(Note: This is **NOT** the **effective** date)

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

See Attachment A.

Reasons supporting proposal:

See Attachment A.

Statutory authority for adoption: RCW 77.04.010, 77.04.055, 77.12.047, 77.12.150, and 77.12.240

Statute being implemented: RCW 77.04.010, 77.04.055, 77.12.047, 77.12.150, and 77.12.240

Is rule necessary because of a:

Federal Law? Yes No

Federal Court Decision? Yes No

State Court Decision? Yes No

If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 22, 2014

TIME: 10:49 AM

WSR 14-03-135

DATE
January 22, 2014

NAME (type or print)
Joanna Eide

SIGNATURE

TITLE
Rules Coordinator

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

When filing the permanent rule-making order (CR-103P), the WAC sections containing rule amendments will be consolidated into one or two Order Typing Service (OTS) documents.

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.....	Nate Pamplin	Natural Resources Building, Olympia	(360) 902-2693
Implementation....	Nate Pamplin	Natural Resources Building, Olympia	(360) 902-2693
Enforcement.....	Steven Crown	Natural Resources Building, Olympia	(360) 902-2373

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

These rules apply to recreational hunting and do not affect small business.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: This proposal does not involve hydraulics.

ATTACHMENT A

Amendment to 220-55-040 - Recreational License tag, permit and stamp refund and exchanges

New Section 220-55-172 - Reduced Rate Combo deer hunting license

New Section 220-55-174 - Reduced Rate Combo elk hunting license

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

The purpose of this proposal is to clarify and expand the rationale for refunding, exchanging, and replacing licenses and tags. In addition, we have received several complaints regarding the price of second deer and elk licenses. This proposal creates discounts for combination licenses and tags.

Reasons supporting proposal:

This proposal will address the complaints about the cost of second deer and elk license and improve the Department's administration of permits and tags and facilitate much improved collection of harvest data.

Amendment to 232-12-047 - Unlawful methods for hunting

Amendment to 232-12-051 - Muzzleloading firearms

Amendment to 232-12-054 - Hunters with Disabilities

New Section 232-12-819 – Special Use Permits

New Section 232-12-825 - NEW SECTION: Definition of a person with a disability

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

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

Several rules (232-12-047, 232-12-051, & 232-12-054) are recommended to be amended to delete exceptions for hunters with disabilities from equipment regulations. Exceptions instead will be combined in a new rule (232-12-819) and by amendment to an existing rule (232-12-828). We are recommending that the Department be allowed to issue special use permits to provide reasonable accommodations for persons with a disability. The Department also recommends a change to the definition of a hunter with a disability.

Reasons supporting proposal:

In the past, any time the Department wanted to change the types of equipment necessary for a disabled hunter to participate in an agency hunting program, we needed to have a rule changed to accommodate the request. These changes will allow the Department to issue special use permits as needed to make those accommodations.

In addition, this change will address a petition to the Commission to amend rules to allow scopes on crossbows used by hunters with disabilities and a complaint filed with the Department of Interior. The essence of the complaint was similar to the petition. Nearly all crossbows available on the market today include scopes and modifying them required relatively expensive conversion kits which invalidated the warrantee. Therefore the claim was that the Department was discriminating by creating an economic hardship in not allowing hunters with disabilities to use a crossbow equipped with a scope.

WAC 232-12-242 - Hunting Restrictions

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

Reinstate restrictions on night hunting and hound hunting during deer and elk seasons which were inadvertently deleted from the small game seasons last year but not placed in a different section as planned.

Reference to WAC 232-28-285 is removed as it is no longer in effect and reference to WAC 232-12-243 is replaced with reference to RCW 77-15-245 which is the statute authorizing public safety cougar removals.

Reasons supporting proposal:

This rule is important in mitigating conflicts and the potential for unlawful use of dogs to pursue deer and elk and night hunting.

WAC 232-28-248 Special closures and firearm restriction areas

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

The purpose of the proposal is to adjust the boundary of the Columbia River Restricted Hunting Area hunting closure to better reflect conditions on the ground and also to alleviate trespass on restricted federal lands. The proposal also provides for an exception to allow special permit hunting on the Parker Lake Restricted Hunting Area. In addition the proposal provides for an exception to the modern firearm restriction in the Kittitas firearm restriction area.

Reasons supporting proposal:

Special closures and firearm restriction areas allow the Fish and Wildlife Commission to restrict or close hunting activity in certain areas to optimize safety, discourage trespass on restricted lands, and protect sensitive species.

WAC 232-28-273 2012-2014 Moose seasons and permit quotas.

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

Increase the current temporal, geographic, and gender scope of the Master Hunter permits in Region 1. Current rules limit Master Hunts permits for moose (10) to antlerless animals only, a season of Dec 1 through the following March 1, and GMUs 124, 127, and portions of 130 within Spokane County. The revision would allow for Master Hunt permits for any moose identified by WDFW as requiring removal, for a season extending from Aug 1 through the following March 1, and extend to area to include all of GMUs 124, 127, 130, 133, 136, 139, and 142.

Additionally, new, experimental archery-only and muzzleloader-only hunts are proposed in the Parker Lake area (within GMU 117) which had previously been closed due to potential conflicts with USAF survival school. This hunt is being coordinated with USAF.

Reasons supporting proposal: Master Hunter permits for moose are intended to provide hunter opportunity where moose are causing damage or are a threat to human safety (typically in or near urban and suburban settings), and these cannot be otherwise resolved. Current restrictions on these permits limit the effectiveness of implementing this objective. This revision will allow for needed flexibility in removing problem moose.

The experimental archery-only and muzzleloader permit hunts are being offered to provide additional hunter opportunity in any area where moose populations can absorb additional harvest.

WAC 232-28-283 2012-2014 . Big game and wild turkey auction, raffle, and special incentive permits.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Add to (18) Rocky Mountain Bighorn Sheep Raffle permit GMU 172, and remove GMU 181.

Reasons supporting proposal: Provide hunter opportunity where herd increase has allowed for increase harvest, while reducing permit levels where mortality must be limited.

WAC 232-28-296 Landowner hunting permits

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

This proposal modifies hunt dates and permit levels on properties enrolled in WDFW's Landowner Hunting Permit (LHP) program for the 2014 hunting season. These sites offer special hunting opportunities to the public through WDFW's special permit drawings, raffles, or selection by the landowner.

Reasons supporting proposal:

Several years ago, the Fish and Wildlife Commission developed a policy to expand the private lands available to the general public for hunting. One of the programs that was authorized is the Landowner Hunting Permit Program. This program encourages landowners to provide opportunity to the general hunter in exchange for customized hunting seasons and the ability to generate funding to offset the cost of providing public access.

232-28-337 Elk area descriptions.

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

The purpose of the proposal is modify the boundary of an existing Elk Area in Region 5 to better address wildlife conflict through special permit elk hunting. The proposal also creates an Elk Area in Region 1 to facilitate elk special permit hunting on newly acquired wildlife area lands.

Reasons supporting proposal:

Elk Areas allow the Commission to distribute hunters more favorably during quality hunts. The proposed language also helps delineate when state authorized elk hunting is and is not allowed at a smaller scale within a GMU. Elk Areas help direct hunters when a scale smaller than the GMU is needed. Elk areas also help staff address wildlife conflict problems at a smaller scale than the GMU when needed.

WAC 232-28-342: 2012-13, 2013-14, and 2014-15 Small game seasons

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

Changes proposed increase the possession limit to three times the daily bag for mourning dove (including falconry), band-tailed pigeon, and September Canada goose (except for the two day eastern Washington September season). Other changes include shifting season eastern Washington September goose season dates to occur on weekend days, and increasing the bag limit for the Pacific County September Canada goose season.

Reasons supporting proposal:

The proposed changes will standardize possession limits among all migratory bird seasons and allow increase recreational opportunity on resident Canada geese, while conserving these populations and providing agricultural damage control.

232-28-357 2012-2014 Deer general seasons and definitions.

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

The purpose of this proposal is to retain general season deer hunting opportunity. The purpose is also to balance the hunting opportunity between user groups. In addition the purpose is to increase opportunity when deer populations allow, and reduce the opportunity when declining deer numbers warrant a change.

Reasons supporting proposal: This proposal provides for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable general deer hunting season opportunities for 2014. The proposal also helps address deer agricultural damage problems and provides for deer population control when needed.

232-28-358 2012-2014 Elk general seasons and definitions.

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

The purpose of this proposal is to retain general season elk hunting opportunity for 2014. The purpose is also to balance the elk hunting opportunity between user groups. The proposal also increases elk hunting opportunity when elk populations allow, and reduces elk hunting opportunity when declining elk numbers warrant a change.

Reasons supporting proposal: This proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable general elk hunting season opportunities for 2014. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

232-28-359 2014 Deer special permits.

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

The purpose of this proposal is to retain special permit deer hunting opportunity for 2014. The purpose is also to balance the hunting opportunity between user groups and increase hunting opportunity when deer populations allow. In addition the proposal reduces the deer hunting opportunity when declining deer numbers warrant a change.

Reasons supporting proposal: This proposal provides for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable deer special permit hunting season opportunities for 2014. The proposal also helps address deer agricultural damage problems and provides for deer population control when needed.

232-28-360 2014 Elk special permits.

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

The purpose of this proposal is to retain special permit elk hunting opportunity for 2014. The purpose is also to balance the elk special permit hunting opportunity between user groups. In addition the proposal increases elk hunting opportunity when elk populations allow, and reduces the opportunity when declining elk numbers warrant a change.

Reasons supporting proposal: This proposal provides recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable elk special permit hunting season opportunities for 2014. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 232-28-622 Big horn sheep seasons and permit quotas.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: 1) Increase permits in the Asotin herd from 0 to 1. 2) Increase permits in the Lincoln Cliff herd from 1 to 2. 3) Decrease permits in the Cleman Mountain herd from 10 to 8. 4) Increase permits in the Umtanum portion of the Umtanum/Selah herd from 2 to 3. 5) Initiate new ewe-only hunt in the Selah portion of the Umtanum/Selah herd, 5 permits.

Reasons supporting proposal: Provide hunter opportunity where herd increase has allowed for increase harvest, while reducing permit levels where mortality must be limited.

WAC 232-28-623 2012-2014 Mountain goat seasons and permit quotas.

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

1) Decrease mountain goat permits in the Methow (2-2) goat hunt unit from 1 to 0. 2) Increase mountain goat permits in the Naches Pass (3-6) goat hunt unit from 1 to 2; 3) Increase mountain goat permits in the Bumping River (3-7) goat hunt unit from 1 to 2; 4) Increase mountain goat permits in the Chowder Ridge (4-3) goat hunt unit from 1 to 2. 5) Initiate new conflict-reduction mountain goat hunt in Region 6, GMU 621, with 6 permits.

Reasons supporting proposal: Provide hunter opportunity where herd increase has allowed for increase harvest, while reducing permit levels where mortality must be limited. Reduce conflicts with hikers and possibility of dangerous confrontation on popular hiking trails in Region 6.

232-28-624 Deer area descriptions.

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

The purpose of the proposal is to add a Deer Area in Pend Oreille County that would facilitate some special permit hunting opportunity on the USAF survival training facility where hunting access did not exist before. The proposal also adds a new Deer Area in Asotin County to facilitate special permit hunting opportunity on newly acquired wildlife area land.

Reasons supporting proposal:

The proposed language allows the Commission to distribute hunters more favorably during quality hunts. Proposed language also helps delineate when state authorized deer hunting is and is not allowed at a smaller scale within a GMU. Deer Areas help direct hunters when a scale smaller than the GMU is needed.

Deer areas also help staff address wildlife conflict problems when needed.