

# Moose Seasons, Permit Quotas, and Areas

232-28-273

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## Summary Sheet

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**Meeting dates:** April 14-15, 2017

**Agenda item:** Moose Seasons, Permit Quotas, and Areas – Decision

**Presenter:** Rich Harris, Ph.D., Special Species Section Manager, Wildlife Program

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### **Background summary:**

Moose hunting is limited to permit-only opportunities in Washington. This is the third year of the current “3-year hunting season package”; thus revisions are minor, and limited to those responding to public requests. WDFW is proposing to 1) reduce any moose permits in the combined GMU 127 and 130 hunting unit “Hangman” from 7 to 4; 2) reduce antlerless-only moose permits in GMU 127 from 7 to 4; 3) extend season length of the Parker Lake archery (moose area 3) hunt from Sept. 1-26 to Sept. 1-30; 4) extend the season length of the Parker Lake muzzleloader hunt from Sept. 27-Oct. 5 to Oct. 1-31; and 5) increase the number of hunter education incentive permits from 2 to 4 and expand the GMUs to which these permits would apply.

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### **Policy issue(s) you are bringing to the Commission for consideration:**

- Hunters have had trouble finding legal moose in both GMUs 127 and 130 over the past few years. This may result from difficulties of accessing private land, movements of moose into adjacent lands in Idaho, reduction of the moose population due to natural and/or human causes, or a combination of these factors. It thus seems prudent to issue fewer permits in these two GMUs.
  - Hunters have expressed a desire for a longer season length in the Parker Lake area, and the military authorities who control this area and have legitimate concerns about access and conflicts have agreed with these season date extensions.
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### **Public involvement process used and what you learned:**

The Department notified more than 12,000 individuals and organizations informing them of the opportunity to provide comment on the proposed regulations. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at the March 17-18, 2017 Commission Meeting in Olympia.

In response, the Department received a total of 47 written comments regarding the proposed changes for 2017, of which 27 indicated that they generally agreed and 19 generally disagreed with proposed changes (one was neutral). Among those providing detailed comments, 10 comments specifically opposed increasing the number of antlerless moose permits allocated to hunter education instructors (from 2 at present to 4). Three comments dealt specifically with the proposal to lengthen the existing season durations at the Parker Lake special area (2 supporting, 1 asking for additional clarification). Two comments agreed with our proposed reduction in the number of permits provided for the Mica Peak area south of Spokane; one criticized the Department for not knowing more than we do about the reasons for this evident decline. Two comments were concerned about moose declines generally and 3 comments asserted that declines have been caused by wolves.

Those who commented generally remain concerned about the opportunity to draw a moose tag, which remains a low probability-draw in Washington. Although some commenters view Department permit numbers as too conservative given the number of moose, more are concerned about what they perceive as declining moose numbers.

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**Action requested:**

Approve these minor adjustments in moose permit levels for hunting season 2017. The increase in hunter incentive permits from 2 to 4 will be revisited in 2018 (for the next 3-year hunting season package), and if approved, we suggest no assumption be made that the number will remain at this level (i.e., it will be re-examined, taking public views into account).

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**Draft motion language:**

I move that changes in WAC 232-28-273 2017 Moose seasons, permit quotas and areas be adopted as recommended by the Department.

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**Justification for Commission action:**

To provide opportunities to hunters, consistent with achieving management objectives.

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**Communications Plan:**

WDFW Website  
News Releases  
Hunting Pamphlet

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*Form revised 12/5/12*

AMENDATORY SECTION (Amending WSR 15-10-048, filed 4/29/15, effective 5/30/15)

**WAC 232-28-273 ~~2012-2014~~2017 Moose seasons, permit quotas, and areas.** (1) It is unlawful to fail to comply with the provisions of this section. A violation of this section is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Moose Permit Hunts**

(a) **Who May Apply:**

(i) **Any moose category:** An individual may only harvest one moose under the "any moose" category during his or her lifetime. Applications will not be accepted from hunters having previously harvested a moose in the "any moose" category.

(ii) **Antlerless only, youth antlerless, over-65 antlerless, disabled-antlerless, master-hunter any moose, hunter-education antlerless, auction moose, raffle moose:** Anyone may apply.

(b) **Bag Limit:** One moose.

(c) **Weapon Restrictions:** Permit holders may use any legal weapon.

Hunt Name	Notes	Permit Season	GMU or boundary	Permits
<b>Any moose</b>				
Kettle Range-East Okanogan		Oct. 1 - Nov. 30	GMUs 101, 105, 204	10
Douglas A - Early		Oct. 1-31	GMU 108	3
Douglas A - Late		Nov. 1-30	GMU 108	3
Aladdin A - Early		Oct. 1-31	GMU 111	3
Aladdin A - Late		Nov. 1-30	GMU 111	3

Hunt Name	Notes	Permit Season	GMU or boundary	Permits
Selkirk		Oct. 1 - Nov. 30	GMU 113	15
49 Degrees North A - Early		Oct. 1-31	GMU 117	15
49 Degrees North A - Late		Nov. 1-30	GMU 117	15
Parker Lake A - Archery	e,W	Sept. <del>((1-26))</del> 1-30	Moose area 3	2
Parker Lake A - Muzzleloader	e,X	<del>((Sept. 27 - Oct. 5))</del> Oct. 1-31	Moose area 3	2
Huckleberry A - Early	((*)	Oct. 1-31	GMU 121	6
Huckleberry A - Late	((*)	Nov. 1-30	GMU 121	6
Spokane West A	((*)	Oct. 1 - Nov. 30	GMU 124 w of Hwy 395	1
Mt Spokane South A		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North A		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	8
Hangman	((*)	Oct. 1 - Nov. 30	GMU 127 & 130	((7)) 4
<b>Antlerless only</b>				
Douglas B		Oct. 1 - Nov. 30	GMU 108	2
Aladdin B		Oct. 1 - Nov. 30	GMU 111	2
49 Degrees North B		Oct. 1 - Nov. 30	GMU 117	2
Huckleberry B	((*)	Oct. 1 - Nov. 30	GMU 121	3
Spokane West B	((*)	Oct. 1 - Nov. 30	GMU 124 w of Hwy 395	2
Mt Spokane South B		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North B		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	7
Mica Peak	((*)	Oct. 1 - Nov. 30	GMU 127	((7)) 4
Cheney B	((**))	Oct. 1 - Nov. 30	GMU 130	2
<b>Youth Only - antlerless</b>				
	a			
49 Degrees North Y		Oct. 1 - Nov. 30	GMU 117	2
Mt Spokane South Y		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North Y		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	8
<b>65 Year and over - antlerless</b>				
	c			
49 Degrees North V		Oct. 1 - Nov. 30	GMU 117	2
Huckleberry V		Oct. 1 - Nov. 30	GMU 121	2
<b>Disabled hunter - antlerless</b>				
	b			
49 Degrees North D		Oct. 1 - Nov. 30	GMU 117	3
Mt Spokane North D		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	1
<b>Hunter Education antlerless</b>				
	d			
<del>((Selkirk))</del> District 1 HE	HEII	Oct. 1 - Nov. 30	GMU <del>((443))</del> 101, 105, 108, 111, 113, 121	((2)) 4
<b>Master Hunter - Any moose</b>				
Spokane District MH	HC	Aug. 1 - Mar. 31	GMUs 124-142	10

\*Applicants must be eligible to purchase a youth moose permit application. An adult must accompany the youth hunter during the hunt.

<sup>b</sup>Applicants must possess a Disabled Hunter Permit.

<sup>c</sup>Applicants must be eligible to purchase a 65 years of age or older permit application.

<sup>d</sup>Applicants must be a certified hunter education instructor who meets program-defined eligibility criteria.

<sup>e</sup>The following special hunt is offered by the USAF Survival School on a trial basis and will be evaluated based on student safety each year for continuation.

<sup>hc</sup>This is a damage hunt administered by a WDFW designated hunt coordinator. Only master hunters may apply, and any weapon may be used. Successful applicants will be contacted on an as-needed basis to help with specific sites of nuisance moose activity in designated areas. Not all successful applicants will be contacted in any given year.

<sup>w</sup>Archery only.

<sup>x</sup>Muzzleloader only.

<sup>HEII</sup>Only qualifying hunter education instructors may apply.

**(3) Moose Areas:**

**(a) Moose Area 1:** South Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chat-

taroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, S on Hwy 395 to Spokane River, E on Spokane River to Idaho-Washington state line, N on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(b) **Moose Area 2:** North Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, N on Hwy 395 to Deer Park-Milan Rd, E on Deer Park-Milan Rd to Hwy 2, N on Hwy 2 to Idaho-Washington state line, S on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(c) **Moose Area 3:** Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Rd (USFS Road 2489), north of Tacoma Creek Rd (USFS Road 2389), and west of Bonneville Power Administration power lines.

[Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-048 (Order 15-101), § 232-28-273, filed 4/29/15, effective 5/30/15. Statutory Authority: RCW 77.12.047, 77.12.240, and 77.32.070. WSR 14-10-019 (Order 14-95), § 232-28-273, filed 4/25/14, effective 5/26/14; WSR 13-11-078 (Order 13-94), § 232-

28-273, filed 5/16/13, effective 6/16/13. Statutory Authority: RCW 77.12.047. WSR 12-11-005 (Order 12-70), § 232-28-273, filed 5/2/12, effective 6/2/12; WSR 11-11-013 (Order 11-86), § 232-28-273, filed 5/6/11, effective 6/6/11. 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), § 232-28-273, 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), § 232-28-273, 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), § 232-28-273, filed 4/18/08, effective 5/19/08; WSR 07-11-017 (Order 07-62), § 232-28-273, filed 5/3/07, effective 6/3/07. Statutory Authority: RCW 77.12.047. WSR 06-11-032 (Order 06-92), § 232-28-273, filed 5/8/06, effective 6/8/06; WSR 05-11-022 (Order 05-89), § 232-28-273, filed 5/10/05, effective 6/10/05. Statutory Authority: RCW 77.12.047 and 77.12.020. WSR 04-11-036 (Order 04-98), § 232-28-273, filed 5/12/04, effective 6/12/04. Statutory Authority: RCW 77.12.047. WSR 03-13-047 (Order 03-129), § 232-28-273, filed 6/12/03, effective 7/13/03. Statutory Authority: RCW 77.12.047, 77.12.655, 77.12.020. WSR 02-11-069 (Order 02-98), § 232-28-273, filed 5/10/02, effective 6/10/02. Statutory Authority: RCW 77.12.040, 77.12.020,



77.32.070, 77.32.530. WSR 01-10-048 (Order 01-69), § 232-28-273, filed 4/26/01, effective 5/27/01. Statutory Authority: RCW 77.12.040, 77.12.010, 77.12.020, 77.12.770, 77.12.780. WSR 00-11-137 (Order 00-50), § 232-28-273, filed 5/23/00, effective 6/23/00. Statutory Authority: RCW 77.12.040. WSR 99-10-102 (Order 99-40), § 232-28-273, filed 5/5/99, effective 6/5/99; WSR 98-10-005 (Order 98-58), § 232-28-273, filed 4/22/98, effective 5/23/98.]

**WAC 232-28-273 2017 Moose seasons, permit quotas, and areas.**

**RECOMMENDED ADJUSTMENTS**

*The following are proposed adjustments since the Code Reviser (CR 102) filing and are included in the WAC document contained in this agenda item.*

**Page 3**

The title of the WAC was changed to “2017 Moose seasons, permit quotas, and areas” to reflect the current year.

## **Summary of Comments Received During Official Public Comment Period and Testimony Received at the March Commission Meeting, and WDFW Response:**

### WAC 232-28-273 2017 Moose Seasons, Permit Quotas, and Areas

#### **Supporting Comments:**

The Department received a total of 47 written comments, of which 27 indicated that they generally agreed and 19 generally disagreed with the Department's proposed changes for 2017 (one was neutral).

Those supporting proposed changes for 2017 agreed that reducing the number of permits in GMUs 127 and 130 is appropriate, given that fewer moose have been seen in these areas in recent years, and agreed with lengthening the season at Parker Lake.

#### **Opposing and Other Comments:**

Those objecting to proposed changes for 2017 primarily expressed displeasure at increasing the number of hunter instructor incentive permits from 2 to 4, given the low odds of drawing a moose permit generally.

Although a few respondents noted abundant moose, more were concerned with what they perceive as a decline in the moose population compared with recent years. One comment suggested changing the "once-in-a-lifetime" restriction for the "any moose" category to a required 3-year wait. (This would be a 3-year package proposal if moved forward).

There was no public testimony at the March Fish and Wildlife Commission Meeting pertaining to this rule proposal.

#### **Direction and Rationale:**

Department staff recommends the following changes for 2017:

- 1) Reduce antlerless tags in the two units south of Spokane, in response to anecdotal reports of fewer moose seen as well as lower hunter success. (There are no wolf packs affecting these moose).
- 2) Lengthen seasons at Parker Lake, providing those hunters with more opportunity to harvest a moose within this fairly small geographic area.
- 3) Increase hunter education incentive permits from 2 to 4 for the 2017 hunting season only, but reassess this increase beginning with the next 3-year hunting season package (2018-2020).



# 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** 16-24-010 **on 11/28/16**  
; 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) WAC 232-28-248 Special closures and firearm restriction areas; WAC 232-28-273 2012-2014 Moose seasons, permit quotas, and areas; WAC 232-28-291 Special hunting season permits; WAC 232-28-296 Landowner hunting permits; WAC 232-28-337 Elk area descriptions; WAC 232-28-342 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations; WAC 232-28-357 2015-2017 Deer general seasons and definitions; WAC 232-28-359 2016 Deer special permits; WAC 232-28-360 2016 Elk special permits; WAC 232-28-436 2016-2017 Migratory waterfowl seasons and regulations; WAC 232-28-622 2015-2017 Bighorn sheep seasons and permit quotas; WAC 232-28-624 Deer area descriptions; WAC 232-12-021 Importation and retention of dead nonresident wildlife; WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits; WAC 232-28-299 Mandatory report of hunting activity; WAC 232-28-358 2015-2017 Elk general seasons and definitions.

**Hearing location(s):**  
Natural Resources Building  
First Floor – Room 172  
1111 Washington St SE  
Olympia, Washington 98504

Date: March 17-18, 2017 Time: 8:30 a.m.

**Submit written comments to:**  
Online: <http://wdfw.wa.gov/about/regulations/development.html>  
Name: Wildlife Program Commission Meeting Public Comments  
Address: 600 Capitol Way North  
Olympia, WA 98501-1091  
e-mail: [Wildthing@dfw.wa.gov](mailto:Wildthing@dfw.wa.gov)  
fax: (360) 902-2162 by (date) February 22, 2017

**Assistance for persons with disabilities:** Contact

Tami Lininger by March 1, 2017

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

**Date of intended adoption:** on or after April 14, 2017  
(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 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, 77.32.155.

**Statute being implemented:** RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, 77.32.155.

**Is rule necessary because of a:**  
Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No  
If yes, CITATION:  Yes  No  
CFR Title 50, Part 20, Migratory Bird  
Treaty Act

**DATE**  
February 1, 2017

**NAME** (type or print)  
Scott Bird

**SIGNATURE** *Scott Bird*

**TITLE**  
Acting Rules Coordinator

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: February 01, 2017**

**TIME: 11:10 AM**

**WSR 17-04-103**

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

None.

**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	Natural Resources Building, Olympia	(360) 902-2515
Implementation....Eric Gardner	Natural Resources Building, Olympia	(360) 902-2515
Enforcement..... Chief Chris Anderson	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

### Existing Rules Proposed for Amendment

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

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

WAC 232-28-291 Special hunting season permits.

WAC 232-28-296 Landowner hunting permits.

WAC 232-28-337 Elk area descriptions.

WAC 232-28-342 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

WAC 232-28-357 2015-2017 Deer general seasons and definitions.

WAC 232-28-359 2015 Deer special permits.

WAC 232-28-360 2016 Elk special permits.

WAC 232-28-436 2015-2016 Migratory waterfowl seasons and regulations.

WAC 232-28-622 2015-2017 Bighorn sheep seasons and permit quotas.

WAC 232-28-624 Deer area descriptions.

WAC 232-12-021 Importation and retention of dead nonresident wildlife.

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

WAC 232-28-299 Mandatory report of hunting activity.

WAC 232-28-358 2015-2017 Elk general seasons and definitions.

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

The proposed changes include corrections to WAC headings or internal references to other WACs that are subject to the recodification of WAC title 232. This is part of the department's effort to clean-up and better organize WDFW's administrative code and provides the public and department staff with a more logical and navigable code. It will also consolidate all rules under one WAC Title and should accomplish a streamlined, legally accurate, and legally adequate administrative code.

### **Reasons supporting proposal:**

The changes to WDFW's administrative code are necessary because of the code's large-scale disorganization, outdated and confusing rules, and references to former agencies and repealed RCWs. If a reorganization and substantive amalgamation of the rules is not done, the public's confusion will increase over time, the rules could be challenged and invalidated in court, and the agency could face liability due to poorly written rules. This rulemaking will update WDFW's rules to bring them into compliance with statutory authority and repeal outdated and inapplicable rules.

**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 proposed changes to the Special Closures and Firearm Restriction Areas WAC are administrative changes that clarify road names and GMU names.

**Reasons supporting proposal:**

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

**WAC232-28-273 Moose seasons, permit quotas, and areas.**

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

WDFW is proposing 1) reducing any moose permits in the combined GMU 127 and 130 hunting unit (“Hangman”) from 7 to 4; 2) reducing antlerless-only moose permits in GMU 127 from 7 to 4; 3) extending season length of the Parker Lake archery (moose area 3) hunt from Sept 1-26 to Sep 1-30; 4) extending season length of Parker Lake muzzleloader from Sept 27-Oct 5 to Oct 1-31,5) and increasing the number of Hunter Education Instructor Incentive permits from 2 to 4, but expanding the GMUs open to these permit holders to include GMUs 101, 105, 108, 111, 113, and 121.

**Reasons supporting proposal:**

Feedback from hunters during seasons 2015 and 2016 indicating it has been increasingly difficult to find moose in GMUs 127 and 130. Feedback from hunters has indicated the more time has been needed to successfully hunt in the Parker Lake area, and military officials have suggested these specific season dates. Increasing the hunter education instructor incentive permits will help incentivize instructors to meet program goals and public demand.

**WAC 232-28-291 Special hunting season permits.**

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

This proposal allows the department to restore points to hunters that draw a damage hunt administered by a WDFW designated hunt coordinator, but do not get called to participate.

**Reasons supporting proposal:**

Feedback from hunters since the inception of this type of hunt suggests that this is a problem that can be fixed by the proposed changes.

**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 on properties enrolled in WDFW’s Landowner Hunting Permit (LHP) program for the 2017 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, 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 authorized was 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.

#### **WAC 232-28-337 Elk area descriptions.**

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

Six Elk Areas are proposed for removal in Grays Harbor, Mason, Clallam, and Jefferson Counties. These Elk Areas (EA 6012, EA 6062, EA 6066, EA 6068, EA 6072, EA 6073) are no longer needed to mitigate wildlife conflict.

##### **Reasons supporting proposal:**

Elk Areas allow the Fish and Wildlife Commission to adopt hunting seasons that can be conducted at a smaller scale than the Game Management Unit. Setting seasons at this scale allows for more strategic wildlife management using hunting as a tool to control populations and mitigate wildlife conflict. When the need for a particular Elk Area subsides, the Fish and Wildlife Commission adopts amendments to the rule that removes those particular Elk Areas.

#### **WAC 232-28-342 Small Game and other wildlife seasons and regulations.**

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

This proposal changes the wildlife area name South L.T. Murray to Wenas. The wildlife area name Wenas will now be consistent with WDFW publications including website pages, pamphlet and brochures.

##### **Reasons supporting proposal:**

The wildlife area name South L.T. Murray changed to Wenas in 1997. The name change was due to the different funding sources. The southern portion of the L.T. Murray wildlife area is funded by federal BPA money where as L.T. Murray proper is funded by wildlife state money.

#### **WAC 232-28-357 2015-2017 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 for 2017. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

**Reasons supporting proposal:** These proposals provide for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable general deer hunting season opportunities for 2017. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

#### **WAC 232-28-359 2017 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 2017. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

**Reasons supporting proposal:** These proposals provide for recreational deer hunting opportunity and protects deer from overharvest. The proposal would also maintain sustainable deer special permit hunting season opportunities for 2017. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

#### **WAC 232-28-360 2017 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 elk special permit hunting opportunity for 2017. 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 elk special permit hunting opportunity for 2017. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

#### **WAC 232-28-436 2016-2017 Migratory waterfowl seasons and regulations.**

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

This proposal amends WAC 232-28-436, 2016-2017 Migratory waterfowl seasons and regulations, to specify legal season dates, bag limits, and open areas to hunt waterfowl, coot, snipe, band-tailed pigeon, and mourning dove for the 2017-2018 hunting season. In this proposal goose bag limits are changed from a bag limit of 4 geese (not including brant) to allow harvest of 4 Canada geese, 10 white-fronted geese, and 6 white geese statewide during specified season dates. Dusky Canada Goose remains closed to harvest. The proposal opens Whatcom and Clallam counties to limited brant harvest dates.

**Reasons supporting proposal:**

Migratory game bird 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 migratory game bird seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the migratory game bird resources of Washington.

#### **WAC 232-28-622 Bighorn sheep seasons, permit quotas, and areas.**

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

WDFW is proposing 1) temporarily eliminating the bighorn sheep ram permit for the Vulcan Mountain herd, 2) adding a second season of bighorn sheep ewe permits at the Cleman Mountain herd (which would add 10 permits during a later season to the 10 offered in 2016), and 3) adjusting the season of the early bighorn sheep ewe season at Cleman Mountain.

**Reasons supporting proposal:**

1) The Vulcan Mountain bighorn sheep herd may be increasing slowly but remains small, and there are few mature rams in the herd at this time. WDFW co-manages this herd with the Colville Confederated Tribes, who have similarly instituted a temporary moratorium on harvest in this herd. WDFW is attempting to bolster this herd via translocations, and we hope to be able to offer a ram permit in future, in cooperation with our Tribal partners, but for now, ram harvest is not advisable. 2) The Cleman Mountain bighorn sheep herd currently numbers approximately 275 individuals, whereas WDFW has estimated that a long-term sustainable population is approximately 170-220. WDFW has, and will continue to translocate animals from this herd when opportunity exists, but at present, those opportunities have been insufficient to reduce population size to the desired level. 3) With a proposed increase from 10 to 20 ewe permits, WDFW proposes splitting the ewe season into 2 separate time periods, to assure a quality experience and reduce safety concerns. Hunter success in this herd is usually quite high; thus, WDFW believes that the time period allowed for each of these 10 hunts is sufficient.

### **WAC 232-28-624 Deer area descriptions.**

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

The proposed changes to the Deer Area Descriptions rule will create a new Deer Area in Klickitat County. The proposed new Deer Area will expand deer hunting opportunity on newly acquired Wildlife Area land.

#### **Reasons supporting proposal:**

Deer Areas allow the Fish and Wildlife Commission to adopt hunting seasons that can be conducted at a smaller scale than the Game Management Unit. Setting seasons at this scale allows for more strategic wildlife management, expanding hunting opportunity, using hunting as a tool to control deer populations and mitigating wildlife conflict.

### **WAC 232-12-021 Importation and retention of dead nonresident wildlife.**

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

The proposed changes include corrections to WAC headings or internal references to other WACs that are subject to the recodification of WAC title 232. This is part of the department's effort to clean-up and better organize WDFW's administrative code and provides the public and department staff with a more logical and navigable code. It will also consolidate all rules under one WAC Title and should accomplish a streamlined, legally accurate, and legally adequate administrative code.

#### **Reasons supporting proposal:**

The changes to WDFW's administrative code are necessary because of the code's large-scale disorganization, outdated and confusing rules, and references to former agencies and repealed RCWs. If a reorganization and substantive amalgamation of the rules is not done, the public's confusion will increase over time, the rules could be challenged and invalidated in court, and the agency could face liability due to poorly written rules. This rulemaking will update WDFW's rules to bring them into compliance with statutory authority and repeal outdated and inapplicable rules.

### **WAC 232-28-283 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:**

The proposed changes include corrections to WAC headings or internal references to other WACs that are subject to the recodification of WAC title 232. This is part of the department's effort to clean-up and better organize WDFW's administrative code and provides the public and department staff with a more logical and navigable code. It will also consolidate all rules under one WAC Title and should accomplish a streamlined, legally accurate, and legally adequate administrative code.

**Reasons supporting proposal:**

The changes to WDFW’s administrative code are necessary because of the code’s large-scale disorganization, outdated and confusing rules, and references to former agencies and repealed RCWs. If a reorganization and substantive amalgamation of the rules is not done, the public’s confusion will increase over time, the rules could be challenged and invalidated in court, and the agency could face liability due to poorly written rules. This rulemaking will update WDFW’s rules to bring them into compliance with statutory authority and repeal outdated and inapplicable rules.

**WAC 232-28-299 Mandatory report of hunting activity.**

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

The proposed changes include corrections to WAC headings or internal references to other WACs that are subject to the recodification of WAC title 232. This is part of the department’s effort to clean-up and better organize WDFW’s administrative code and provides the public and department staff with a more logical and navigable code. It will also consolidate all rules under one WAC Title and should accomplish a streamlined, legally accurate, and legally adequate administrative code.

**Reasons supporting proposal:**

The changes to WDFW’s administrative code are necessary because of the code’s large-scale disorganization, outdated and confusing rules, and references to former agencies and repealed RCWs. If a reorganization and substantive amalgamation of the rules is not done, the public’s confusion will increase over time, the rules could be challenged and invalidated in court, and the agency could face liability due to poorly written rules. This rulemaking will update WDFW’s rules to bring them into compliance with statutory authority and repeal outdated and inapplicable rules.

**WAC 232-28-358 2015-2017 Elk general seasons and definitions.**

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

The proposed changes include corrections to WAC headings or internal references to other WACs that are subject to the recodification of WAC title 232. This is part of the department’s effort to clean-up and better organize WDFW’s administrative code and provides the public and department staff with a more logical and navigable code. It will also consolidate all rules under one WAC Title and should accomplish a streamlined, legally accurate, and legally adequate administrative code.

**Reasons supporting proposal:**

The changes to WDFW’s administrative code are necessary because of the code’s large-scale disorganization, outdated and confusing rules, and references to former agencies and repealed RCWs. If a reorganization and substantive amalgamation of the rules is not done, the public’s confusion will increase over time, the rules could be challenged and invalidated in court, and the agency could face liability due to poorly written rules. This rulemaking will update WDFW’s rules to bring them into compliance with statutory authority and repeal outdated and inapplicable rules.