

# Bighorn Sheep Seasons, Permits, and Quotas

232-28-622

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## Summary Sheet

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

**Agenda item:** Bighorn Sheep Seasons, Permits, and Quotas – Decision

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

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### **Background summary:**

Bighorn sheep 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. WDFW is proposing 1) temporarily eliminating the bighorn sheep ram permit for the Vulcan Mountain herd; 2) reducing the number of bighorn ram permits for the Lincoln Cliffs herd from 2 to 1; and 3) adjusting the beginning date of the late bighorn sheep ewe season at Cleman Mountain.

At the March Commission Meeting, the Department was recommending increasing ewe permits in the Cleman Mountain herd by adding a second season. Since that time, the Department has determined that the over-winter mortality in this herd is sufficient to reach management objectives. Therefore, the Department is withdrawing its initial recommendation for increased opportunity in the Cleman Mountain herd.

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

- Reduce bighorn sheep ram permits where population size remains insufficient to justify the harvest (Vulcan Mountain herd).
  - Reduce the number of bighorn sheep ram permits for the Lincoln Cliffs herd to increase the number of mature males in the population.
  - Make calendar date adjustments to the late bighorn sheep ewe season at Cleman Mountain.
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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.

Department staff also participated in informal communication with co-managers from the Colville Confederated Tribe regarding the Vulcan Mountain herd.

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### **Action requested:**

Adopt WAC 232-28-622 2017 Bighorn sheep seasons and permit quotas as presented by the Department.

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### **Draft motion language:**

I move to adopt WAC 232-28-622 2017 Bighorn sheep seasons and permit quotas as presented 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 16-12-087, filed 5/31/16, effective 7/1/16)

**WAC 232-28-622 ((2015-2017)) 2017 Bighorn sheep seasons and permit quotas.** (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

**(2) Bighorn Sheep Permit Hunts**

(a) **Who May Apply:** Anyone may apply, EXCEPT those who previously harvested a bighorn sheep in Washington state. An individual may only harvest one bighorn ram during his or her lifetime. However, this restriction is waived for hunters who have previously harvested a bighorn sheep under a ewe-only, juvenile ram, raffle, or auction permit, as well as for applications for a ewe-only, juvenile ram, raffle, or auction permit.

(b) **Bag Limit:** One bighorn ram, except in designated adult ewe hunts the limit is one bighorn adult ewe.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
<del>((Vulcan Mountain</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 2</del>	<del>Any Legal Weapon</del>	<del>4))</del>
Selah Butte A	Nov. 7-30	Sheep Unit 4	Any Legal Weapon	2
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	2
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	3
<del>Cleman Mountain B</del>	<del>Nov. ((7-30)) <u>6-30</u></del>	<del>Sheep Unit 7</del>	<del>Any Legal Weapon</del>	<del>3</del>

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
<del>Cleman Mountain C</del>	<del>((Nov. 12-30)) Oct. 2-15</del>	<del>Sheep Unit 7</del>	<del>Adult ewe only Any Legal Weapon</del>	<del>10</del>
<u>Cleman Mountain D</u>	<u>Nov. 13-30</u>	<u>Sheep Unit 7</u>	<u>Adult ewe only Any Legal Weapon</u>	<u>10</u>
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Mt. Hull C <sup>a</sup>	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	<u>21</u>
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	2
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	2
Manson	Nov. 7-30	Sheep Unit 16	Any Legal Weapon	2
Chelan Butte <u>A</u>	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	2
(New hunt category) Chelan Butte B Juvenile ram - Disabled hunter <sup>b</sup>	Oct. 11-31	Sheep Unit 18	Any Legal Weapon Juvenile ram <sup>c</sup>	2
Chelan Butte C - Disabled hunter <sup>b</sup>	Oct. 11-31	Sheep Unit 18	Any Legal Weapon Adult ewe only	2

<sup>a</sup>Applicants must be eligible to purchase a youth bighorn sheep permit application. An adult 18 years of age or older must accompany the youth hunter during the hunt.

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

<sup>c</sup>A juvenile ram is defined as a male bighorn sheep having at least one "unbroomed" horn that does not extend past an imaginary line beginning at the point on the animal's forehead where the front of the horn base adjoins the skull, and continuing downwards and in a posterior direction through the posterior edge of the eye. A "broomed" horn is defined as a sheep horn that has been broken, splintered, frayed or rubbed in the wild, thus shortening its length and disrupting its natural taper.

(3) **Bighorn Sheep Units:**

(a) **Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.

(b) **Sheep Unit 4 Selah Butte:** Permit Area: That part of GMU 340 east of the Yakima River.

(c) **Sheep Unit 5 Umtanum:** Permit Area: Those portions of GMU 340 west of the Yakima River and GMU 342 north of Wenas Creek.

(d) **Sheep Unit 7 Cleman Mountain:** Permit Area: GMU 346 and that part of GMU 342 south of Wenas Creek.

(e) **Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

(f) **Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.

(g) **Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and that part of 251 east of Squilchuck Creek and south of Colockum Creek.

(h) **Sheep Unit 14 Swakane:** Permit Area: GMU 250.

(i) **Sheep Unit 15 Tieton:** Permit Area: GMU 360.

(j) **Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

(k) **Sheep Unit 18 Chelan Butte:** Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of (~~Antione~~) Antoine Creek, W up (~~Antione~~) Antoine Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washington Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington

Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

(1) **Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis-Oroville Rd (Co. Rd 9425); E on the Loomis-Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Conconully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest



Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US-Canadian border and the point of beginning.

[Statutory Authority: 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, and 77.32.155. WSR 16-12-087, § 232-28-622, filed 5/31/16, effective 7/1/16. 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), § 232-28-622, 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), § 232-28-622, filed 4/25/14, effective 5/26/14; WSR 13-11-078 (Order 13-94), § 232-28-622, filed 5/16/13, effective 6/16/13.]

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

**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.

**Pages 3-4**

Remove the “Cleman Mountain B” late ram hunt and the “Cleman Mountain C” early ewe hunt. There has been sufficient over-winter mortality in the Cleman Mountain bighorn sheep herd that these additional removals are no longer needed to move the herd toward its desired abundance.

**Page 4**

Change the number of bighorn sheep ram permits for the Lincoln Cliffs herd from 2 to 1. This is advisable because although a recent survey documented many rams, fewer than hoped for were of the old, mature type that we wish to recruit into the population.

**Page 6**

Under the description of Sheep Unit 18 Chelan Butte, correct the spelling of “Antoine Creek.”

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

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

### **Supporting Comments:**

Twenty-seven written comments were received from the public. Of these, 21 generally agreed and 6 generally disagreed with the Department's recommendations.

A few respondents supported providing opportunity to harvest ewes when populations can support it. One respondent specifically supported suspending the single ram permit for the Vulcan Mountain herd.

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

A number of respondents wondered about the wisdom of reducing herd size via ewe hunts, preferring instead translocation from over-abundant herds.

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

### **Direction and Rationale:**

- 1) As in the recommendation, temporarily withdraw the 1 ram permit WDFW has offered for the small Vulcan Mountain herd, until this herd increases somewhat.
- 2) Reduce the number of bighorn sheep ram permits for the Lincoln Cliffs herd to increase the number of mature males in the population.
- 3) Make calendar date adjustments to the late bighorn sheep ewe season at Cleman Mountain.

At the March Commission Meeting, the Department was recommending increasing ewe permits in the Cleman Mountain herd by adding a second season. Since that time, the Department has determined that the over-winter mortality in this herd is sufficient to reach management objectives. Therefore, the Department is withdrawing its initial recommendation for increased opportunity in the Cleman Mountain herd.



# 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.