

Mountain Goat Seasons

WAC 220-415-130

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CR-10214

Summary Sheet

Meeting dates:	March 1- 2, 2019
Agenda item:	WAC 220-415-130 2019 Mountain goat seasons and permit quotas
Presenter(s):	Dr. Richard B. Harris, Bighorn sheep, moose, mountain goat, and pronghorn antelope section manager, Game Division, Wildlife Program

Background summary:

Staff will brief the Commission on proposed amendments to WAC 220-415-130 Mountain goat seasons and permit quotas. Mountain goats are sensitive to harvest of females. To ensure long-term sustainability of mountain goat hunting, permits should reflect the recent history of female harvest, as well as our best estimate of goat abundance. In the East Olympics, WDFW plans to cooperate with the National Park Service to translocate as many goats as possible to the North Cascades in July and August 2019. It seems wise therefore to suspend the existing Conflict Reduction hunts in this area for 2019.

Staff recommendation:

1. The Department recommends increasing permits in the Naches Pass goat hunt unit from one to two. In most past years, three permits have been offered here. In 2018 only one was offered because three hunters from 2017 were allowed, by emergency rule, to use their permits in 2017 (access to the entire unit was legally proscribed due to fire in 2017). The rationale for increasing permits only to two (rather than three) is that the number of nannies (females) harvested over the past three years has exceeded our guideline (1.2% of our estimated population size), and thus in response, permit level should be reduced to minimize the chance of over-harvest.
 2. The Department recommends decreasing permits in the Bumping River hunt from three to two. Recent population estimates suggest a decline in this area. Although it is unlikely the decline is related to legal harvest, a prudent response is to reduce permitting slightly to minimize the chance of overharvest.
 3. The department recommends decreasing permits in the Goat Rocks East hunt unit from three to one. Two hunters issued permits during the 2018 season were unable to hunt to do fire-related closures, and as per Emergency Rule 18-242 (9/12/18) were allowed to use these permits in 2019. To minimize chances of overcrowding and overharvest, only one additional permit is suggested for 2019.
 4. The Department recommends suspending the East Olympic Mountains Conflict Reduction goat hunts, pending the outcome of planned translocation activities in summer 2019.
-

Policy issue(s) and expected outcome:

- Sustainable mountain goat hunting
 - Providing hunter opportunity
-

Fiscal impacts of agency implementation:

No fiscal impacts beyond the status quo.

Public involvement process used and what you learned:

In preparation for this meeting, notification was made to approximately 12,000 individuals and organizations informing them of the opportunity to provide comment on the proposed regulation amendments. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at the March 1-2, 2019 Commission meeting in Spokane.

Action requested and/or proposed next steps:

Take public comment. Adoption of rule is planned for April 2019 Commission meeting.

Draft motion language:

N/A – Briefing and public hearing only

Post decision communications plan:

WDFW Website

News Release

Hunting Regulations Pamphlet

Form revised 2-15-18

AMENDATORY SECTION (Amending WSR 18-11-061, filed 5/11/18, effective 6/11/18)

WAC 220-415-130 ((2018)) 2019 Mountain goat seasons and permit quotas. (1) Hunters must 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) **Mountain Goat Permit Hunts**

(a) **Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. Except for auction and raffle permitted hunts, an individual may only harvest one mountain goat during his or her lifetime.

(b) **Bag Limit:** One (1) adult goat of either sex with horns 4 inches or longer.

(c) It is unlawful for a person who kills a mountain goat in Washington to fail, within ten days after acquisition, to personally present the horns attached to the head for inspection at a department office or location designated by a departmental representative. After inspection, the head/horns of a mountain goat lawfully killed in

Washington may be kept for personal use. A violation of this subsection is punishable under RCW 77.15.280 (1)(b).

(d) Applicants drawn for a permit may only purchase their license after successfully completing the WDFW mountain goat gender identification training (online or at a participating WDFW office).

Goat Hunt Area Name (Number)	Permit Season	Special Restrictions	Permits
North Lake Chelan (2-1)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	2
South Lake Chelan (2-3)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	1
Naches Pass (3-6)	Oct. 10 - Nov. 30	Any Legal Weapon	((1)) <u>2</u>
Bumping River (3-7)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	((3)) <u>2</u>
Boulder River North (4-8a)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	1
Chowder Ridge (4-3)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	1
Lincoln Peak (4-4)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	2
Avalanche Gorge (4-7)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	3
Goat Rocks West (5-4)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	2
Goat Rocks East (5-5)	Sept. 15 - Nov. 30 ^a	Any Legal Weapon	((3)) <u>1</u>
Mt. Margaret Backcountry (5-6)	Oct. 1 - Nov. 30	Any Legal Weapon	1
Mt. St. Helens South (5-7)	Oct. 1 - Nov. 30	Any Legal Weapon	1
((East Olympic Mountains A [†]	Sept. 15 - 25	Any Legal Weapon	3
East Olympic Mountains B [†]	Sept. 26 - Oct. 6	Any Legal Weapon	3))

~~(([†]Points accrued or spent on this hunt do not apply to other mountain goat hunts.))~~

^aPermit holders hunting with archery equipment may start hunting September 1.

(3) **Mountain Goat Hunt Area Descriptions.** The following areas are defined as mountain goat hunt areas:

Chelan North 2-1

Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then NE up Fish Creek and USFS Trail 1259 to the Sawtooth crest near Deephole Spring; then SE along the Sawtooth crest, which separates Chelan and Okanogan counties, to Horsethief Basin and the headwaters of Safety Harbor Creek; then S along Safety Harbor Creek to Lake Chelan, then NW along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.

Methow 2-2

Permit Area: Okanogan County within following described boundary:

Begin at Twisp, W along Twisp River Rd (County Rd 4440) to Roads End; W up Twisp Pass Trail 432 to Twisp Pass and Okanogan County line; N on Okanogan County line through Washington Pass to Harts Pass; SE down Harts Pass (Rd 5400) to Lost River; along Lost River-Mazama Rd to Mazama; SW to State Hwy 20; SE on State Hwy 20 to Twisp and point of beginning.

South Lake Chelan 2-3

Permit Area: GMU 246

Naches Pass 3-6

Permit Area - Naches: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then N along

the Pacific Crest Trail to Naches Pass; then E to USFS Road 19 and continuing to State Highway 410; then W along State Highway 410 to Chinook Pass and point of beginning.

Bumping River 3-7

Permit Area: Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service Trail 2000 (Pacific Crest Trail) at White Pass; N on the US Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

Blazed Ridge 3-10

Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the

Yakima River; then W along Cabin Creek to the headwaters near Snowshoe Butte; then S along the Cascade Crest separating the Green and Yakima River drainage to Pyramid Peak; then SE along the North Fork, Little Naches, and Naches River to the Yakima River; then N along the Yakima River to the mouth of Cabin Creek and point of beginning.

Chowder Ridge 4-3:

Hunt Area: Whatcom County within the following described boundary:

Beginning at the confluence of Wells Creek with the North Fork Nooksack River; then up Wells Creek to the confluence with Bar Creek; then up Bar Creek to the Mazama Glacier; then SW on Mazama Glacier to the summit of Mount Baker; then NW between Roosevelt Glacier and Coleman Glacier to the headwaters of Kulshan Creek; then down Kulshan Creek to the confluence with Grouse Creek; then down Grouse Creek to the confluence with Glacier Creek; then down Glacier Creek to the confluence with the North Fork Nooksack River; then up the North Fork Nooksack River to Wells Creek and the point of beginning.

Lincoln Peak 4-4

Hunt Area: Whatcom County within the following described boundary:

Beginning at the confluence of Glacier Creek and the North Fork Nooksack River; then up Glacier Creek to the confluence with Grouse Creek; then up Grouse Creek to the confluence with Kulshan Creek; then

up Kulshan Creek to headwaters; then SE between Coleman and Roosevelt glaciers to the summit of Mount Baker; then SW on Easton Glacier to Baker Pass; then W on the Bell Pass Trail (USFS Trail 603.3) to the intersection with Ridley Creek Trail (Trail No. 696); then W on Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then down the Middle Fork Nooksack River to the confluence with Clearwater Creek, then up Clearwater Creek to the confluence with Rocky Creek, then up Rocky Creek to the Washington DNR boundary; then along the National Forest-Washington DNR boundary to Hedrick Creek; then down Hedrick Creek to the North Fork Nooksack River; then up the North Fork Nooksack River to Glacier Creek and the point of beginning.

~~((Dillard Creek 4-6~~

~~Hunt Area: Whatcom County within the following described boundary:
Beginning on Baker Lake Road and Rocky Creek; then NW up Rocky Creek to its intersection with the Park Butte Trail (Trail No. 603); then NW on Park Butte Trail to its intersection with the Bell Pass Trail (Trail No. 603.3); then N on Bell Pass Trail to Baker Pass; then N onto Easton Glacier and NE to the summit of Mount Baker; then NE and SE on Park Glacier to headwaters of Park Creek; then down Park Creek~~

~~to Baker Lake Road; then SW on Baker Lake Road to Rocky Creek and the point of beginning.))~~

Avalanche Gorge 4-7

Hunt Area: Whatcom County within the following described boundary:

Beginning on Baker Lake Road and Park Creek; then up Park Creek to headwaters and beginning of Park Glacier; then NW and SW on Park Glacier to Mount Baker summit; then N on the Mazama Glacier to Bar Creek, then down Bar Creek to the confluence with Wells Creek; then SE up Wells Creek to its headwaters; then E about 1 mile to an unnamed peak (indicated elevation 5,831 ft, just W of Ptarmigan Ridge Trail (Trail No. 682.1) (See referenced 1:24k USGS quad map - Shuksan Arm)); then NE to the headwaters of the first tributary of Swift Creek encountered; then SE down said unnamed tributary to the confluence with Swift Creek; then down Swift Creek to the Baker Lake Road (USFS Road 394); then SW along the Baker Lake Road to Park Creek and point of beginning. (Refer to 1:24k USGS quad map - Shuksan Arm).

Permit Area - Boulder River North 4-8a

That area within the Boulder River Wilderness of the Mount Baker Snoqualmie National Forest, beginning at the Boulder River trailhead on USFS Rd 2010 (to Boulder Falls), then E along the USFS Boulder River Wilderness boundary to Squire Creek, then southward along the

Squire Creek to Squire Creek Pass, then SW up Squire Creek Pass to the headwaters of Copper Creek, then SE down Copper Creek to the unnamed tributary to Copper Creek which heads W up to Windy Pass, then W up said tributary to its headwaters in Windy Pass, then W across Windy Pass to the headwaters of Windy Creek, then W down Windy Creek to the USFS Boulder River Wilderness boundary, then N along the USFS Boulder River Wilderness boundary to the Boulder River trailhead on USFS Rd 2010 and the point of the beginning.

Goat Rocks West 5-4: (Lewis County). Beginning at US Hwy 12 at the US Forest Service Trail 2000 (Pacific Crest National Scenic Trail); S on the Pacific Crest National Scenic Trail to Lewis County line at Cispus Pass; S and W on the Lewis County line to Johnson Creek Rd (US Forest Service Rd 21); N on Johnson Creek Rd to US Hwy 12; E on US Hwy 12 to the Pacific Crest National Scenic Trail and the point of the beginning.

Goat Rocks East 5-5: (Yakima County): GMU 364

Permit Area 6-1: East Olympic Mountains Unit

Beginning at the intersection of Lake Cushman Rd and Jorsted Creek Rd (USFS Rd 24); W along Jorsted Creek Rd (USFS Rd 24) to Olympic National Park (ONP) boundary at the northern end of Lake Cushman; N

and NE along the ONP-Olympic National Forest (ONF) boundary to the Jefferson-Clallam County line; E along the Jefferson-Clallam County line to its intersection with ONF boundary in section 33 of T28N R2W; S along the ONF boundary to the intersection of Lake Cushman Rd and Jorsted Creek Rd (USFS Rd 24) and the point of beginning.

Permit Area - Mt. Margaret Backcountry 5-6 (Skamania and Lewis counties)

Beginning at the junction of USFS 99 Rd and USFS 26 Rd; S on USFS 99 Rd to junction of USFS 99 Rd and USFS Trail 227 at Independence Pass trailhead; N on USFS Trail 227 to junction of USFS Trail 227 and USFS Trail 1; W on USFS Trail 1 to junction of USFS Trail 1 and USFS Trail 230; NW on USFS Trail 230 to junction of USFS Trail 230 and USFS Trail 211; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; N along the USFS property boundary to the Green River; E up the Green River to USFS Rd 2612; E on USFS 2612 to the junction of USFS Rd 2612 and USFS Rd 26; S on USFS Rd 26 to the junction of USFS Rd 26 and USFS Rd 99 and point of beginning.

Permit Area - Mt. St. Helens South 5-7 (Skamania and Cowlitz counties)(awaiting JT input)

Beginning at the junction of USFS Trail 234 and USFS Rd 83; W on USFS Rd 83 to the junction of USFS Rd 83 and USFS Rd 81; NW on USFS Rd 81

to the junction of USFS Rd 81 and USFS Rd 8123; N on USFS Rd 8123 to USFS Trail 238 at Blue Lake; N on USFS Trail 238 to USFS Trail 216; N on USFS Trail 216 to the South Fork Toutle River; Up the South Fork Toutle River to Mt. St. Helens crater's edge; E along Mt. St. Helens crater to Ape Canyon Creek; Down Ape Canyon Creek to USFS Trail 216; E on USFS Trail 216 to USFS Trail 234; SE on USFS Trail 234 to USFS Rd 83 and point of beginning.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530. WSR 18-11-061 (Order 18-76), § 220-415-130, filed 5/11/18, effective 6/11/18. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-415-130, filed 2/15/17, effective 3/18/17. 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), § 232-28-623, 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), § 232-28-623, filed 4/25/14, effective 5/26/14; WSR 13-11-078 (Order 13-94), § 232-28-623, filed 5/16/13, effective 6/16/13.]

Summary of Public Comments Received During Official Public Comment Period and WDFW Response:

WAC 220-415-070 2019 Mountain goat seasons, permit quotas, and areas

Supporting Comments:

Five comments were received online. Two respondents characterized their responses as neutral and three as opposed.

Opposing, Neutral, and Other Comments:

Three respondents favored increasing mountain goat hunting opportunity above the Department's recommendation. Two of these included no geographic suggestions; one suggested retaining the Olympia Mountains conflict reduction hunt. Two respondents suggested changing mountain goat permits from either sex (albeit with a strong recommendation and educational component to encourage taking billies) to billy-only.

Direction and Rationale:

Mountain goat populations are sensitive to over-harvest; the six-year Game Management Plan lays out harvest guidelines that the Department generally adheres to. Reductions in harvest opportunity respond to fluctuations in mountain goat populations as documented through rigorous bi-annual surveys (whether or not the fluctuations are related to hunter harvest), as well as to the proportion of hunter harvest made up by nannies (females).

There is consensus that recreational harvest of nanny (female) mountain goats is much more likely to lead to population problems than harvest of billies (males). The Department has considered recommending the mountain goat permits be valid only for male mountain goats. At the present time, the systems the Department has put in place to minimize the probability of population decline appear adequate to prevent population declines even in the face of modest levels of female harvest.



PROPOSED RULE MAKING

CR-102 (August 2017) (Implements RCW 34.05.320) Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 18, 2019

TIME: 11:41 AM

WSR 19-03-129

Agency: Washington Department of Fish and Wildlife (WDFW)

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 18-23-030 on November 14, 2018 ; 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).

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject)

Amended Rules

WAC 220-410-040 Game management units (GMUs) boundary descriptions – Region four.

WAC 220-410-060 Game management units (GMUs) boundary descriptions – Region six.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

WAC 220-412-100 Landowner hunting permits.

WAC 220-413-030 Importation and retention of dead nonresident wildlife.

WAC 220-413-090 Field identification of wildlife – Evidence of sex – Definitions.

WAC 220-413-180 Special closures and firearm restrictions.

WAC 220-413-200 Reducing the spread of hoof disease – Unlawful transport of elk hooves.

WAC 220-414-070 Archery requirements.

WAC 220-414-080 Hunting – Hunter orange clothing requirements.

WAC 220-415-020 2018-2020 Deer general season and definitions.

WAC 220-415-030 2019 Deer special permits.

WAC 220-415-040 Elk area descriptions.

WAC 220-415-050 2018-2020 Elk general season and definitions.

WAC 220-415-060 Elk special permits.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

WAC 220-415-120 2019 Bighorn sheep season.

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

WAC 220-416-060 2019-2020 Migratory waterfowl seasons and regulations.

WAC 220-416-110 Use of game birds for training dogs, field trials – Marking requirements.

WAC 220-417-030 Wild animal trapping.

WAC 220-430-010 Game farm license provisions.

WAC 220-450-010 Criteria for planting aquatic plants and releasing wildlife.

Hearing location(s):

Date: **Time:** **Location:** (be specific) **Comment:**

March 1-2, 2019	8:00 a.m.	Natural Resources Building Room 172 1111 Washington Street SE Olympia, WA 98501	
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Date of intended adoption: April 5-6, 2019 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Wildlife Program

Address: PO Box 43200, Olympia, WA 98504

Email: wildthing@dfw.wa.gov

Fax: (360) 902-2162

Other: <https://wdfw.wa.gov/hunting/regulations/seasonsetting/2019/>

By (date) February 13, 2019

Assistance for persons with disabilities:

Contact Tami Lininger

Phone: (360) 902-2267

Fax:

TTY: (800) 833-6388

Email: tami.lininger@dfw.wa.gov

Other:

By (date) February 22, 2019

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

WAC 220-410-040 Game management units (GMUs) boundary descriptions – Region four.

The purpose of the proposal is to clarify boundary language as it pertains to Game Management Unit 485 Green River. The existing language can be somewhat complicated. The proposed changes take advantage of the well-marked boundaries of the Green River watershed which are identical to the GMU boundary.

WAC 220-410-060 Game management units (GMUs) boundary descriptions-Region six.

The purpose of the proposal is to clarify boundary language as it pertains to the boundary shared by Game Management Unit 653 White River and Game Management Unit 485 Green River. The existing language can be somewhat complicated. The proposed changes take advantage of the well-marked boundaries of the Green River watershed which are identical to the GMU boundary.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

Proposed change (1) would allow holders of an Eastside Elk Auction Permit, Eastside Elk Raffle Permit, South-Central Washington Big Game Raffle Permit, or Eastern Washington Elk Incentive Permit to hunt elk in GMU 334 (Ellensburg). This GMU is currently excluded from the legal hunt area.

Proposed change (2) would redirect the holder of the 'Rocky Mountain' bighorn sheep raffle permit to a portion of the Wenaha-Mountain View herd complex with a greater number of mature rams.

WAC 220-412-100 Landowner hunting permits.

This proposal modifies hunt dates on properties enrolled in WDFW's Landowner Hunting Permit (LHP) program for the 2019 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, raffles, or selection by the landowner.

WAC 220-413-030 Importation and retention of dead nonresident wildlife.

The proposal will ban the importation and retention of specific parts of dead nonresident wildlife that could contain Chronic Wasting Disease (CWD) from Tennessee. Specific circumstances are fully set forth in WAC 220-413-030 to include the state of Tennessee.

WAC 220-413-090 Field identification of wildlife – Evidence of sex – Definitions.

The proposal amends WAC 220-413-090 Field identification of wildlife-Evidence of sex-Definitions by changing subsection 1, related to the possession and transport of game birds by adding the fully feathered wing as an acceptable field identification requirement, with the exception of Canada and Cackling geese harvested in Goose Management Area 2 Coast and Inland where the head must be left attached for subspecies determination.

WAC 220-413-180 Special closures and firearm restrictions.

The proposed changes to the Special Closures and Firearm Restriction Areas WAC are administrative changes that clarify firearm restrictions in portions of Grays Harbor County and Pacific County only apply during modern firearm general deer and/or elk seasons. It also clarifies that Key Peninsula and Longbranch Peninsula are the same location in Pierce County.

WAC 220-413-200 Reducing the spread of hoof disease – Unlawful transport of elk hooves.

This rule is an attempt to reduce the potential risk of inadvertently spreading the causative agents of treponeme associated hoof disease (TAHD) in elk.

WAC 220-413-200 was most recently updated in September 2018. Since that time, TAHD has been confirmed along the border of GMUs 638 and 618, in the upper Wynoochee Valley (GMU 636) just south of Olympic National Park, and in GMU 621, necessitating the addition of GMUs 618, 621, and 638. With the addition of these 3 GMUs, the rule would apply in all but 15 of the 61 western Washington GMUs that are not islands in Puget Sound. The Department believes it prudent to add all western Washington GMUs to the restriction.

New Game Management Units (GMUs) are being proposed in which transport of elk hooves from harvested elk would be restricted. These new GMUs include all 400, 500, and 600 GMUs. The rule does allow, under certain circumstances, the legal transport of elk hooves to facilitate research by the Department and/or our collaborators.

WAC 220-414-070 Archery requirements.

The purpose of the proposal is to eliminate the restriction that makes it unlawful to hunt big game animals with any arrow weighing less than six grains per pound of draw weight with a minimum arrow weight of 300 grains. Such a rule change will ensure hunters are not unknowingly in violation of a restriction, while in no way negatively affecting the kill efficacy of modern archery equipment commonly in use today.

WAC 220-414-080 Hunting – Hunter orange clothing requirements.

This proposal clarifies the hunter orange rule to address the overlap between turkey hunting and general season modern firearm deer and elk seasons. This proposed change will allow turkey hunters not to wear orange except during the general modern deer and elk seasons. This change will allow turkey hunters more flexibility and maintain safety during the general modern firearm seasons. This proposal adds turkey to the hunter orange rule and requires turkey hunters that are hunting during a modern deer or elk firearm season to wear florescent orange.

WAC 220-415-020 2018-2020 Deer general seasons and definitions.

The purpose of this proposal is to retain general season deer hunting opportunity for 2019. 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.

WAC 220-415-030 2019 Deer special permits.

The purpose of this proposal is to retain special permit deer hunting opportunity for 2019. 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.

WAC 220-415-040 Elk area descriptions.

The purpose of this proposal is to allow the department to focus elk hunting pressure on a smaller scale than the Game Management Unit. Elk Areas help expand hunting opportunity that would normally not be available. Elk Areas also help accommodate wildlife conflict mitigation using hunting as a tool. The purpose of the proposal is to adjust the boundaries of Elk Area 6054, such that harvest is focused in areas where conflicts are most frequent.

WAC 220-415-050 2018-2020 Elk general seasons and definitions.

The purpose of the proposal and its anticipated effects, including any changes in existing rules:
The elk seasons for fall of 2019 represent the second year of the 2018-2020 three-year hunting season package. The purpose of the proposal is to increase opportunities in some areas to assist with efforts to mitigate elk damage. The proposal also corrects typographical errors associated with season dates for the western Washington and Elk Area 3722 general elk modern firearm seasons.

WAC 220-415-060 2019 Elk special permits.

The purpose of this proposal is to retain elk special permit hunting opportunity for 2019. 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.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

The purpose of this proposal is to adjust moose permit limits to reflect population changes and recent harvest.

WAC 220-415-120 2019 Bighorn sheep season.

The purpose of this proposal is to adjust bighorn sheep hunt permit limits to reflect population changes and recent harvest.

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

The purpose of this proposal is to adjust mountain goat hunt permit limits to reflect population changes and recent harvest.

WAC 220-416-060 2019-2020 Migratory waterfowl seasons and regulations.

The proposal amends WAC 220-416-060 2018-19 Migratory waterfowl seasons and regulations to specify legal season dates, bag limits for the 2019-20 season.

Changes include:

- Adjusting season dates relative to 2019-2020 calendar dates
- Lowering Northern Pintail bag-limit to 1 pintail per day and associated possession limits per the USFWS Northern Pintail Harvest Strategy
- Proposed shift of 12-days for white goose hunting from the beginning of the season to February 22 – March 4, 2020 in Goose Management Area 4
- Proposed addition of dates to brant season in Pacific County, contingent upon the most recent 3-year average results per the Pacific Brant Population Management Plan harvest strategy.

WAC 220-416-110 Use of game birds for training dogs, field trials – Marking requirements.

The proposed changes clarify that only one method is required for marking game birds and adds an additional method option, which is nasal scarring caused by an anti-pecking device. In addition, the proposal adjusts the ordering of existing options for marking non-waterfowl game birds.

WAC 220-417-030 Wild animal trapping.

The proposed changes clarify that restraining traps (live capture traps) must be checked every 24 hours, whether or not an animal has been captured.

WAC 220-430-010 Game farm license provisions.

The proposed changes clarify that a game farm license is required to sell species listed in subsection 2 (game birds and waterfowl). Also, the proposed changes clarify that a current, valid license is required to continue to possess, propagate, sell and transfer wildlife that was lawfully possessed on January 1, 1992. Lastly, the proposed changes add conditions for revocation or denial of a game farm's license and grounds for prosecution under existing RCW.

WAC 220-450-010 Criteria for planting aquatic plants and releasing wildlife.

The proposed changes clarify that game birds released for dog training and hunting pursuant to WAC 220-416-110 do not need to be purchased. Instead, they simply need to be acquired from certain facilities. These facilities include a department facility, a state- or federally-licensed game farm facility that has been inspected by a certified veterinarian within the past twelve months, or a facility with current National Poultry Improvement Plan certification.

Reasons supporting proposal:

WAC 220-410-040 Game management units (GMUs) boundary descriptions – Region four.

The proposed amendments will make the boundaries more discernable for hunters. The proposed changes will also make enforcement of hunting season rules and trespass rules more straightforward.

WAC 220-410-060 Game management units (GMUs) boundary descriptions-Region six.

The proposed amendments will make the boundaries more discernable for hunters. The proposed changes will also make enforcement of hunting season rules and trespass rules more straightforward.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

1) GMU 334 has historically been excluded from the legal hunt area for auction, raffle, and special incentive permits, in addition to Quality Elk and Bull Elk special permits because it primarily consists of private residential and agricultural properties within and/or immediately adjacent to the city limits of Ellensburg, which makes it difficult for most hunters to find an area within the GMU where they have permission to hunt. In addition, the potential for human-elk conflicts within this GMU is high and the Department limits elk numbers by providing numerous opportunities to harvest spike bull (or true spike) and antlerless elk during general seasons. However, with no opportunities to harvest branch-antlered bulls, the number of mature bulls has steadily increased and they are frequently the source of damage complaints from agricultural producers. Including opportunities to harvest branch-antlered bulls in GMU 334 would provide increased opportunity to hunters, reduce the number of branch-antlered bulls, and reduce the number of human-elk conflicts that occur in association with branch-antlered bulls.

2) These bighorn herds are closely managed, so biologists typically have good data on the number and distribution of the large-sized rams sought by auction and raffle holders. WDFW also co-manages these herds with Oregon and the Nez Perce Tribes, so fine-scale distribution of hunters is helpful.

WAC 220-412-100 Landowner hunting permits.

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.

WAC 220-413-030 Importation and retention of dead nonresident wildlife.

Because Tennessee has identified chronic wasting disease in wild, free-ranging deer, the department seeks to mitigate the risk to public health and safety by adding the state of Tennessee to WAC 220-413-030.

WAC 220-413-090 Field identification of wildlife – Evidence of sex – Definitions.

The proposed amendment to WAC 220-416-090 Field identification of wildlife-Evidence of sex-Definition, brings field identification of game birds in line with federal possession and transport identification requirements. Identification of migratory waterfowl by wing is a typical training component for federal and state enforcement and should be allowed as an appropriate method of identification for game bird hunters in Washington. The exception of Canada and Cackling geese harvested in Goose Management Area 2 Coast and Inland where the head must be left attached for subspecies determination must be required due to the use of a bill measurement criteria set in WAC 220-413-060 2019-2020 Migratory waterfowl seasons and regulations that differentiates the Dusky Canada goose subspecies which is closed to harvest.

WAC 220-413-180 Special closures and firearm restrictions.

The added language was needed to clarify that modern firearms could be used within these areas to mitigate damage issues during established permit and/or damage hunts, which increases the department's ability to accommodate both firearm restriction needs and wildlife conflict mitigation. The Key Peninsula is also known to some as Longbranch Peninsula; the proposed change clarifies they are the same location.

WAC 220-413-200 Reducing the spread of hoof disease – Unlawful transport of elk hooves.

This proposal adds GMUs where transport of elk hooves will be restricted in order to reduce the potential risk of the disease spreading.

WAC 220-414-070 Archery requirements.

Washington is the only state that has a minimum arrow weight to draw weight ratio and only one of five that have a similar regulation of minimum overall weight of 300 grains. With the advent of carbon arrow technology, which dominates today's market, it is likely a vast majority of archery hunters are unknowingly in violation of the arrow weight to draw weight ratio restriction. In addition, it is highly unlikely any archer would shoot an arrow that weighed less than 300 grains. Lastly, we have no additional information that indicates either of these restrictions increases kill efficacy.

WAC 220-414-080 Hunting – Hunter orange clothing requirements.

This proposal will increase turkey hunter success and maintain safety. Turkey seasons in the past did not overlap with modern deer or elk firearm season. New proposals to control growing turkey populations make it necessary to overlap those seasons. Last year we modified the hunter orange rule to include turkey. We have since found that the rule as written was too broad and turkey hunters had to wear orange throughout the fall season. This recommended rule adjustment provides more flexibility for turkey hunters, while maintaining the hunter orange requirement during the deer and elk modern firearm seasons.

WAC 220-415-020 2018-2020 Deer general seasons and definitions.

These proposals provide for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable general deer hunting season opportunities for 2019. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

WAC 220-415-030 2019 Deer special permits.

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 2019. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

WAC 220-415-040 Elk area descriptions.

This proposal allows the department to use hunting as a management tool and expands elk hunting opportunity.

WAC 220-415-050 2018-2020 Elk general seasons and definitions.

The proposal provides for recreational elk hunting opportunity and helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 220-415-060 2019 Elk special permits.

This proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable elk special permit hunting opportunity for 2019. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

Population abundance estimates and document of recent past harvest.

WAC 220-415-120 Bighorn sheep seasons and permit quotas.

Population abundance estimates and document of recent past harvest.

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

Population abundance estimates and document of recent past harvest.

WAC 220-416-060 2019-2020 Migratory waterfowl seasons and regulations.

Waterfowl 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 waterfowl seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the waterfowl resources of Washington.

WAC 220-416-110 Use of game birds for training dogs, field trials – Marking requirements.

The proposal provides clarity so that the WAC is not misinterpreted to mean that game birds must be marked by all methods.

The use of anti-pecking devices is standard among game farms in the western US, particularly for pheasants which can be aggressive in captivity. By allowing nasal scarring caused by these devices to meet the marking requirements, the department is reducing the burden on game farmers to apply an additional mark to game birds. This proposed change will also improve compliance in marking requirements.

The proposal to adjust the order of the listed marking requirements is intended to emphasize less invasive methods.

WAC 220-417-030 Wild animal trapping.

The current WAC states that an animal captured in a restraining trap must be removed within 24 hours but doesn't state that traps must be checked every 24 hours. The proposed change clarifies that the traps must be checked every 24 hours and captured animals may not be restrained for more than 24 hours.

WAC 220-430-010 Game farm license provisions.

The proposed changes support game farm license holders by emphasizing that certain species cannot be sold without a game farm license. This is intended to reduce confusion and to ensure that unlicensed individuals are not selling these species.

In addition, the proposed changes provide clarity regarding license requirements to game farm license holders who maintain species that were lawfully possessed prior to prior to January 1, 1992.

The proposed changes also provide the department with the necessary tools to ensure that game farm license holders are compliant with the game farm license provisions.

WAC 220-450-010 Criteria for planting aquatic plants and releasing wildlife.

The proposed changes simplify requirements for obtaining game birds for dog training and hunting pursuant to WAC 220-416-110. The changes also seek to ensure that game birds are acquired from facilities that undergo appropriate inspections and follow appropriate guidelines to reduce the risk of disease transmission.

Statutory authority for adoption: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.047, 77.12.150, 77.12.240, 77.12.570, 77.32.070, and 77.32.530.

Statute being implemented: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.047, 77.12.150, 77.12.240, 77.12.570, 77.32.070, and 77.32.530.

Is rule necessary because of a:

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

If yes, CITATION:

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

Name of proponent: (person or organization) 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 1111 Washington St. SE Olympia, WA 98501	(360) 902-2515
Implementation:	Eric Gardner	Natural Resources Building 1111 Washington St. SE Olympia, WA 98501	(360) 902-2515

Enforcement: Steve Bear Natural Resources Building
1111 Washington St. SE (360) 902-2373
Olympia, WA 98501

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under RCW 34.05.328?

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

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

No: Please explain: The rule proposal does not require a cost-benefit analysis.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

RCW 34.05.310 (4)(b)
(Internal government operations)

RCW 34.05.310 (4)(e)
(Dictated by statute)

RCW 34.05.310 (4)(c)
(Incorporation by reference)

RCW 34.05.310 (4)(f)
(Set or adjust fees)

RCW 34.05.310 (4)(d)
(Correct or clarify language)

RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025 (4).

Explanation of exemptions, if necessary: Proposed rule does not affect small businesses.

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

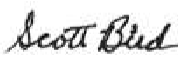
If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

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

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: January 18, 2019	Signature: 
Name: Scott Bird	
Title: Rules Coordinator	