

Concise Explanatory Statement

Small Game, Trapping, Eurasian Collared Doves

WAC 232-12-005 Predatory birds

Written Comments Received During Official Comment Period:

Supporting Comments:

Seventy-seven percent of the comments received in response to proposed changes to rules regarding predatory birds in WAC 232-12-005 supported the proposal.

Opposing and Other Comments:

Fifteen percent of the comments opposed the proposal stating this was not a humane way to control the Eurasian collared dove population or they were concerned about the release of an invasive species.

Direction and Rationale:

The changes proposed are intended to expand recreational opportunity by allowing use of a species that is considered deleterious for falconry and dog training. Use of this bird for these purposes would not be unlike the long established use of rock doves for the same purposes. The department does not believe that allowing these uses will contribute to further range or population expansion of Eurasian collared doves.

Public Testimony Received During March 20-21 Commission Meeting:

Public testimony was not provided.

Changes, if any, from the text of the proposed rule and reasons for difference:

The word “and” is inserted in the third line of Subsection (4) to correct a typing error and make the sentence understandable.

WAC 232-12-024 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

Written Comments Received During Official Comment Period

Supporting Comments:

Seventy-seven of the comments in response to the proposed changes to river otter and bobcat tagging requirements in WAC 232-12-024 supported the proposed changes. Several of these

commenters noted that process of scheduling a sealing appointment with department staff can be difficult or thought that this approach would be a better use of state resources. One commenter did misunderstand that cougar would be included as being able to be sealed by someone outside the department, but this is not the case in our proposal. Concerns expressed within supporting comments included that this new approach not be used to generate revenue and one wondered who is paying for this.

Opposing and Other Comments:

Four comments were interpreted as opposing the changes. Concern was expressed that the system could be abused or open the door for corruption or overharvest. One individual expressed that they viewed this as a department responsibility and that a more efficient means, like sealing pelts stored by taxidermists, should be found to seal pelts. Other comments included a suggestion to mail tags to hunters and trappers and to drop lynx from portions of the rule because their harvest is not allowed in Washington.

Direction and Rationale:

The proposed change is intended to make the sealing process less cumbersome for hunters and trappers and more efficient for agency staff to implement. Under this proposal we are not anticipating that any fees would be charged and that those who are certified to seal pelts would not charge a fee for the service. Standards and guidelines would be developed that outside individuals would be expected to follow and WDFW would monitor for any abuse. If justified, the ability to tag pelts could be revoked. Sealing pelts stored by parties other than the taker and mailing tags could be problematic as license verification is part of the sealing process. There is potential that lynx taken in Washington, prior to harvest closures, may still exist and leaving this species in the rule is appropriate.

Public Testimony Received During March 20-21 Commission Meeting:

Supporting Comments:

Two individuals testified in support of the proposed changes to tagging procedures and requirements. It was noted that this will reduce the costs of the program to the department and be more convenient for trappers who sometimes have to travel significant distance to arrange for pelt tagging.

Opposing and Other Comments:

No public testimony was given at the meeting in opposition to the proposed amendments to this rule.

Direction and Rationale:

The department agrees that this will be a more efficient and convenient option for WDFW staff and those harvesting bobcat and river otter. Standards and guidelines will still need to be developed prior to implementation.

Changes, if any, from the text of the proposed rule and reasons for difference:

None

WAC 232-12-064 Live wildlife—Taking from the wild, importation, possession, transfer, and holding in captivity

Written Comments Received During Official Comment Period:

Supporting Comments:

Seventy-three percent of the comments received in response to the proposed changes to rules regarding the taking, possessing, transferring and holding of live wildlife in WAC 232-12-064 supported the proposed changes. Recreational opportunity benefits was cited as a rationale by some of the commenters for being able to use Eurasian collared doves for dog training and falconry.

Opposing and Other Comments:

Twenty percent of the comments opposed the proposed changes and noted that they consider this an inhumane practice, or have concerns related to the release of an invasive species.

Direction and Rationale:

The changes proposed are intended to expand recreational opportunity by allowing use of a species that is considered deleterious for falconry and dog training. Use of this bird for these purposes would not be unlike the long established use of rock doves for the same purposes. The department does not believe that allowing these uses will contribute to further range or population expansion of Eurasian collared doves.

Public Testimony Received During March 20-21 Commission Meeting:

Public testimony was not provided.

Changes, if any, from the text of the proposed rule and reasons for difference:

None

WAC 232-12-141 Wild animal trapping

Written Comments Received During Official Comment Period:

Supporting Comments:

Sixty-nine percent of the comments received regarding the proposed changes to the wild animal trapping rules in WAC 232-12-141 were in support of the proposed changes. Some of the comments specifically mentioned the use of furbearer meat as bait being a reasonable practice.

Opposing and Other Comments:

In opposition, one commenter specifically requested no changes to the rule citing the citizen's initiative that banned the use of body gripping traps for fur trapping. Other comments, some of which were included in supporting comments, included individuals who wanted the use of body gripping traps reinstated. Rationale included that these traps are more humane and are more effective to control depredation. Other notes supported the use of "holding traps" and that body gripping traps "should be banned altogether." There was also one request for a year round beaver season to prevent orchard damage and a comparison to deer and elk baiting.

Direction and Rationale:

The changes proposed would not change any of the rules established under I-713. Any liberalization of the use of body gripping traps would require a statute change that cannot be made through the Fish and Wildlife Commission. The current uses of these traps are necessary for wildlife conflict management where damages to property are occurring. WDFW issues special trapping permits, throughout the year, authorizing their use specifically to mitigate damage such as in orchards. Trapping some species requires the use of bait and the use of furbearer meat, that otherwise would be discarded, is viewed as a reasonable practice.

Public Testimony Received During March 20-21 Commission Meeting:

Supporting Comments:

Two individuals testified in support of the proposed changes noting that use of furbearer meat is a traditional and reasonable practice.

Opposing and Other Comments:

No public testimony was given at the meeting in opposition to the proposed amendments to this rule.

Direction and Rationale:

The department supports the longstanding traditional use of beaver and other furbearer meat as bait for trapping.

Changes, if any, from the text of the proposed rule and reasons for difference:

None

WAC 232-12-242 Hunting restrictions

Written Comments Received During Official Comment Period:

Supporting Comments:

Forty-eight percent of the comments submitted in response to proposed changes to hunting restrictions in WAC 232-12-242 supported the changes. The need for, or appreciation of, additional opportunity was noted in several of these comments.

Opposing and Other Comments:

Thirty-three percent of the comments were in opposition to the changes. Most of these comments cited conflicts with deer and elk hunting or concerns related to the potential for increased rule violations including night hunting or pursuit of big game with dogs. Other comments included requests for expanded raccoon hunting opportunities including a pursuit season.

Direction and Rationale:

The proposed changes to this rule are based on longstanding requests from the raccoon hunting community for expanded opportunity. Over a period of many years, the current rule has unintentionally become more restrictive as expanded special permit opportunities have increased for modern firearm deer and elk hunters outside of the general seasons. The proposal addresses this gradual reduction of opportunity while, at the same time, leaving the restrictions in place during the deer and elk general seasons when the potential for conflicts and abuse is greatest. WDFW acknowledges the concerns and will evaluate the needs for further changes based on any conflicts and incidents that arise. A summer pursuit season may be considered in the future, but was not included in this proposal due to concerns related to young still being dependent upon adults during this time period.

Public Testimony Received During March 20-21 Commission Meeting:

Public testimony was not provided.

Changes, if any, from the text of the proposed rule and reasons for difference:

None

WAC 232-12-271 Criteria for planting aquatic plants and releasing wildlife

Written Comments Received During Official Comment Period:

Supporting Comments:

Seventy Eight percent of the comments submitted in response to the proposed changes to WAC 232-12-271, Criteria for planting aquatic plants and releasing wildlife, supported the proposed changes that would allow the release of Eurasian collared doves for purposes of dog training.

Opposing and Other Comments:

Twenty-two percent of the comments opposed the proposal, stating concerns regarding the release of an invasive species and that there were other non-invasive species that could be used.

Direction and Rationale:

The changes proposed are intended to expand recreational opportunity by allowing use of a species that is considered deleterious for falconry and dog training. Use of this bird for these purposes would not be unlike the long established use of rock doves for the same purposes. The department does not believe that allowing these uses will contribute to further range or population expansion of Eurasian collared doves. The capture and use of these birds may slightly reduce any negative effects they may have on native wildlife populations.

Public Testimony Received During March 20-21 Commission Meeting:

Public testimony was not provided.

Changes, if any, from the text of the proposed rule and reasons for difference:

None

WAC 232-12-288 Official hunting hours for game animals and forest grouse

Written Comments Received During Official Comment Period:

Supporting Comments:

Seventy-seven percent of the comments supported removal of the hunting hour restriction language from WAC 232-12-288

Opposing and Other Comments:

Ten percent of the comments opposed any night hunting, wanted the ability to hunt predators at night during any time of year, or cited conflicts with deer and elk hunting.

Direction and Rationale:

Although the changes to this rule are primarily intended to be a technical adjustment to eliminate a dual reference to the night hunting restriction they are related to the proposal to expand opportunity to use dogs and night hunting during the months of September, October and

November. A proposal to expand night hunting further would probably receive less support and the elimination of night hunting altogether, for all species, would probably receive strong opposition. The proposed changes would retain the current restrictions during modern firearm deer and elk general seasons when the potential for conflicts is greatest.

Public Testimony Received During March 20-21 Commission Meeting:

Public testimony was not provided.

Changes, if any, from the text of the proposed rule and reasons for difference:

None

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

Written Comments Received During Official Comment Period:

Supporting Comments:

Fifty-one percent of the comments received in response to proposed changes to the Small Game and Other Wildlife Seasons and Regulations in WAC 232-28-342 supported the proposed modifications. Comments tended to focus on a specific item with the most commonly mentioned being support for the extension of the Pheasant Season to the Martin Luther King Day holiday and increased dove season days and bag limit.

Opposing and Other Comments:

Thirty percent of the comments noted opposition to at least one of the proposed changes and there was at least one comment in opposition to each proposed modification. Thirty-three percent of the comments either proposed additional changes or were regarding elements not included in the proposed changes or outside the scope of the rule. The most frequent topic of concern (15% of comments) was the forest grouse bag limit change with some suggesting to simply reduce the limit to 3 and others concerned with the need to identify grouse by species or wanting to keep the limit at 4. There was also opposition to the dove bag limit change and moving the season start date into August was also a common suggestion.

Direction and Rationale:

The proposed changes are intended to provide recreational opportunity within the context of maintaining healthy game populations. Over the past three years, individuals have expressed concerns related to grouse populations and the daily bag limit. The proposed split bag limit for grouse addresses these concerns where local grouse populations may be declining, due to habitat or other changes, while still allowing the same opportunity for those willing to learn the species characteristics. The split bag limit will also help increase hunter knowledge of species

identification if the point is reached where a lower limit on a particular species is needed to address conservation needs in the future. The mourning dove season recommendation is the result of extensive deliberations at the national and Pacific Flyway management levels to develop a nationwide dove harvest strategy, which prescribes regulation packages based on models which consider population, recruitment, and harvest parameters. Dove seasons earlier than September 1 are not currently permitted under federal regulations, and may be more likely to impact populations and young birds in particular.

Public Testimony Received During March 20-21 Commission Meeting:

There was no verbal public testimony presented at the meeting.

Opposing and Other Comments:

There was no verbal public testimony presented at the meeting. One individual did send correspondence to the commission expressing concern with extending the eastern Washington pheasant season and that the proposed action could have a negative impact on the population. This concern was discussed with the Commission.

Direction and Rationale:

In the seasons proposed for the next three years, the change will result in one additional day of hunting opportunity per year when compared to the previous three year package. Prior to the previous three year package, this is the season structure that had been used. If the season was extended to the holiday in years beyond the 2017-18 season, an additional eight days of opportunity would be afforded in some years depending upon calendar adjustments. WDFW does not believe that the proposed change will have any effect on population trends given that our season only allows the harvest of roosters and the breeding potential is based on the number of hens surviving to the breeding season and habitat/weather conditions for brood rearing. The additional hunting pressure should not have an impact on these factors.

Changes, if any, from the text of the proposed rule and reasons for difference:

The ring-necked pheasant start dates for 2015 and 2016 are changed to Oct. 24 and Oct. 22 respectively.

WAC 232-28-516 Trapping seasons and regulations

Written Comments Received During Official Comment Period:

Supporting Comments:

Eighty-four percent of the comments received were in support of the proposed changes to the state Trapping Seasons and Regulations in WAC 232-28-516. Comments noted that river otter

populations appear to have increased and the small number of trappers in the state is unlikely to severely impact populations with our limitations on fur trapping methods.

Opposing and Other Comments:

Opposing and other comments included one individual who suggested that trapping should not be allowed in the state, one who requested a hunting season for furbearers, and one who wanted a year-round trapping season for beaver to reduce conflicts on private land.

Direction and Rationale:

None of the comments directly opposed the change in river otter harvest rules that the department is recommending to expand harvest opportunity. Fur trapping continues to be an effective tool to manage furbearer populations and human conflicts without affecting population health. Harvest information from trapping also helps WDFW better understand the status and distribution of populations. A hunting season for furbearers may create the potential for overharvest and also raises safety issues with regard to aquatic furbearers. Landowners currently may use trapping as a tool when damage is occurring on their property outside of the trapping season.

Public Testimony Received During March 20-21 Commission Meeting:

Supporting Comments:

Two individuals provided testimony in support of the proposed changes to this rule, one specifically supporting the removal of the annual river otter limit and closures in eastern Washington.

Opposing and Other Comments:

No public testimony was given at the meeting in opposition to the proposed amendments to this rule.

Direction and Rationale:

The department appreciates the support for these changes. Providing the opportunity for expanded otter harvest should not impact populations and will also provide better information on distribution and harvest through trapper reports.

Changes, if any, from the text of the proposed rule and reasons for difference:

None