

Concise Explanatory Statement

Bear and Cougar Seasons and Regulations

WAC 232-28-286 2016, 2017, and 2018 Spring black bear seasons and regulations

Written Comments Received During Official Comment Period:

Supporting Comments:

Thirty-three percent (39/120) of the comments received in response to proposed changes to the 2016, 2017, and 2018 Spring black bear hunting seasons and regulations in WAC 232-28-286 supported the proposed modifications. Supporting comments tended to just agree with the proposed changes. Some supported and want more spring hunt areas added (3 comments).

Opposing and Other Comments:

Forty-three percent (52/120) of the comments opposed the proposed WAC; the majority wanted some form of more liberal seasons, more permits, more hunt areas, or general season spring hunt opportunity. Two of the 52 that opposed wanted more protections for females with cubs in the spring.

Twenty percent (24/120) of the comments didn't indicate support or opposition to the proposed WAC, but the majority (19) did indicate they wanted baiting and/or hound hunting for bears reinstated. Three comments were opposed to the proposal and wanted no spring bear hunting, one wanted no change, and one wanted reduced spring hunts.

Direction and Rationale:

Spring bear seasons are typically provided to address a specific management need, such as tree damage on industrial timberlands, nuisance and damage, or to better distribute harvest. Spring bear seasons are assessed in combination with fall bear harvest, using trends in the percent female bears in the harvest, the median age of harvest males, the median age of harvested females, and total harvest. Based on these parameters, the bear populations are within acceptable bounds and can likely support some additional harvest in Northeastern Washington.

In terms of the 43% of the total comments that opposed the proposed WAC and generally wanted some form of more liberal bear seasons, the bear populations will be assessed again prior to the next 3-year season hunting package using the same harvest parameters plus any additional research data from ongoing projects. In terms of the 19 comments that indicated they wanted bear baiting or hounds reinstated, these hunting methods are prohibited by state statute, not by

commission rule. As such, they are beyond the scope of the Fish and Wildlife Commission rule making process.

Public Testimony Received During March 20-21 Commission Meeting:

Supporting Comments:

One comment supported the proposed changes and also wanted a general spring season with a harvest quota in some GMUs.

Opposing and Other Comments:

Two comments were opposed to the proposed changes; one opposing all spring bear hunting and one opposing the increased permit levels.

Direction and Rationale:

Spring bear seasons are typically provided to address a specific management need, such as tree damage on industrial timberlands, nuisance and damage, or to better distribute harvest. Spring bear seasons are assessed in combination with fall bear harvest, using trends in the percent female bears in the harvest, the median age of harvest males, the median age of harvested females, and total harvest. Based on these parameters, the bear populations are within acceptable bounds and can likely support some additional harvest in Northeastern Washington.

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

Add superscript “d” to Hunt Name “Long Beach”. The reason for the change is to clarify that the Long Beach area is a firearm restriction area.

Change superscript “b” from “Private lands; access is extremely limited; firearm restriction area. If you cannot secure access to private lands, do not apply for these hunts.” to “Mostly private lands; access is extremely limited. Please secure access prior to applying for these hunts.” The reason for this change is to clarify that most of the hunt area is private lands, and because only GMU 684 (Long Beach) is a firearm restriction area.

Add superscript “d” to bottom of table, reading “d Firearm restriction area.” The reason for this change is because only GMU 684 (Long Beach) is a firearm restriction area.

WAC 232-28-288 2015-2017 Fall black bear hunting seasons and regulations

Written Comments Received During Official Comment Period:

Supporting Comments:

Thirty-seven percent (42/113) of the comments received in response to proposed changes to the 2015-2017 Fall black bear hunting seasons and regulations in WAC 232-28-288 supported the proposed modifications. Comments tended to focus on supporting science based management and supporting status quo seasons.

Opposing and Other Comments:

Twenty-six percent (29/113) of the comments opposed the proposed WAC; the majority wanted some form of more liberal seasons (either starting earlier in the year or ending with late buck seasons end).

Thirty-six percent (41/113) of the comments didn't indicate support or opposition to the proposed WAC, but the majority (35) did indicate they wanted baiting for bears reinstated. One comment opposed the proposed WAC indicating they wanted no hunting for bears.

Direction and Rationale:

Black bear populations are assessed using trends in the percent female bears in the harvest, the median age of harvest males, the median age of harvested females, and total harvest. Based on these parameters, the bear populations are within acceptable bounds and do not warrant more conservative or more liberal seasons based on the biological data. In terms of the 26% of the total comments that opposed the proposed WAC and generally wanted some form of more liberal bear seasons, the bear populations will be assessed again prior to the next 3-year season hunting package using the same harvest parameters plus any additional research data from ongoing projects. In terms of the 35 comments that indicated they wanted bear baiting reinstated, bear baiting is prohibited by state statute, not by commission rule. As such, bear baiting is beyond the scope of the Fish and Wildlife Commission rule making process.

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 232-28-297 2015-2016, 2016-2017, and 2017-2018 Cougar hunting seasons and regulations

Written Comments Received During Official Comment Period:

Supporting Comments:

Twenty-nine percent (43/147) of the comments received in response to proposed changes to the 2015-2016, 2016-2017, and 2017-2018 Cougar hunting seasons and regulations in WAC 232-28-279 supported the proposed modifications. Comments tended to focus on supporting science based management and supporting additional month of cougar hunting.

Opposing and Other Comments:

Forty-seven percent (69/147) of the comments opposed the proposed WAC. Opposition can be divided into three main groups; 7% (11/147) of the total comments either wanted no-change (status quo) or no cougar hunting, 34% (50/147) of the total comments wanted some form of more liberal hunting seasons, such as increased harvest guidelines or year-round hunting, and 5% (8/147) of the total comments (that opposed) wanted hound hunting for cougar reinstated.

Twenty-four percent (35/147) of the comments didn't indicate support or opposition to the proposed WAC, but did indicate they wanted hound hunting for cougar reinstated.

Direction and Rationale:

A new cougar season structure was adopted by the Fish and Wildlife Commission in 2012, following the completion of over a decade of published research. The new structure sought to curb cougar harvest at a 12-16% harvest rate of the cougar population (excluding kittens). The proposed change intends to increase harvest opportunity in hunt areas below the 12-16% harvest rate, thereby seeking to maximize recreational harvest opportunity. To address the 34% of the total comments that opposed the proposed WAC and wanted some form of more liberal seasons, the Department is planning on reviewing the harvest guidelines prior to the next 3-year package. In terms of the 29% (8+35/147) of the total comments that wanted hound hunting reinstated, the use of dogs is prohibited for recreational cougar hunting by statute, not Commission rule. As such, the comments are beyond the scope of decision making by the Fish and Wildlife Commission.

Public Testimony Received During March 20-21 Commission Meeting:

Supporting Comments:

None

Opposing and Other Comments:

Two comments were opposed to the one-month extension to the cougar season.

Direction and Rationale:

A new cougar season structure was adopted by the Fish and Wildlife Commission in 2012, following the completion of over a decade of published research. The new structure sought to curb cougar harvest at a 12-16% harvest rate of the cougar population (excluding kittens). The proposed change intends to increase harvest opportunity in hunt areas below the 12-16% harvest rate, thereby seeking to maximize recreational harvest opportunity.

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

Changed the harvest guideline in 14 hunt areas as follows:

- For GMU 101 change the harvest guideline from 7-9 to 10-12
- For GMU 105 change the harvest guideline from 2 to 2-3
- For GMUs 108 & 111 change the harvest guideline from 5-6 to 7-8
- For GMU 113 change the harvest guideline from 4-6 to 6-8
- For GMU 117 change the harvest guideline from 6-8 to 8-10
- For GMU 121 change the harvest guideline from 5-6 to 6-8
- For GMUs 149, 154, 162, & 163 change the harvest guideline from 4-6 to 6-7
- For GMUs 145, 166, 175, & 178 change the harvest guideline from 3-4 to 5-6
- For GMUs 169, 172, 181, & 186 change the harvest guideline from 3-4 to 4-5
- For GMU 204 change the harvest guideline from 6-8 to 9-11
- For GMUs 218 & 231 change the harvest guideline from 4-6 to 6-7
- For GMUs 242 & 243 change the harvest guideline from 4-6 to 6-7
- For GMUs 249 & 251 change the harvest guideline from 5-6 to 7-8
- For GMUs 328, 329, & 335 change the harvest guideline from 6-8 to 8-10

The purpose of the change was to increase the harvest guideline from 12-16% of the cougar population (excluding kittens) to 17-21% in hunt areas that overlap known wolf packs.