

Concise Explanatory Statement

WAC 232-12-284, Bighorn sheep - Marking requirements

Rules amended as part of this rulemaking:

Bighorn sheep - Marking requirements (232-12-284)

1. Background/Summary of Project:

The revision of 232-12-284 adopted in April 2015 will clarify to both Department staff and the general public that bighorn sheep heads/horns picked-up afield are “wildlife found dead” (as per WAC 232-12-287), and thus not legally retained. It clarified that a permit for selling heads/horns of bighorn sheep (required under WAC 232-12-071) would only be issued when such sale benefits bighorn conservation or management. Finally, it provided a mechanism whereby holders of old bighorn mounts, horns or heads that were legally obtained prior to the currently-operating marking system (and thus are technically illegal under existing language) can obtain permits and thus have these animals marked, and formally legitimized by the Department. This final revision of the WAC was presented to the Commission and approved in April 2015, but due to an error, the amendments were not included as part of the final rule filing. For this reason, the Department engaged in this permanent rule making to formally make the intended change to WAC 232-12-284. The Fish and Wildlife Commission was briefed and a public hearing was held at the November 6, 2015, Commission meeting. The Commission adopted the rule proposal at the same meeting.

2. Reasons for adopting the rule:

To provide WDFW Enforcement additional certainty and documentation about legally versus illegally obtained bighorn sheep heads, while providing hunters who had legitimately obtained them prior to the era of marking a procedure for documenting that.

3. Differences between the text of the proposed rule and the rule as adopted:

There were no changes from the proposed rule to the rule as adopted.

4. Public comments, response to comments, and consideration of comments

At the March 20-21, 2015, Commission Meeting in Moses Lake, the Department was made aware of concerns regarding folks who had legitimately obtained bighorn heads prior to the era of permanent marking and record-keeping. Working with stake-holder groups, the Department subsequently crafted language to address that concern, and presented it to the Commission and the public at the April meeting in Olympia.