

Concise Explanatory Statement 2016-2017 Hunting Regulations

Rules amended as part of this rulemaking:

- WAC 232-12-021 Importation and retention of dead nonresident wildlife.
- WAC 232-12-228 Hunter education deferral.
- WAC 232-12-286 Reducing the spread of hoof disease—Unlawful transport of elk hooves.
- WAC 232-12-287 Possession of dead wildlife.
- WAC 232-12-828 Hunting of game birds and animals by persons with a disability.
- WAC 232-16-740 Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures.
- WAC 232-28-248 Special closures and firearm restriction areas.
- WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.
- WAC 232-28-286 2017, and 2018 Spring black bear seasons and regulations.
- WAC 232-28-296 Landowner hunting permits.
- WAC 232-28-297 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.
- 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 232-28-358 2015-2017 Elk general seasons and definitions.
- WAC 232-28-359 2016 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.

Rules proposed as part of this rulemaking:

- WAC 232-12-245 Baiting for the purposes of hunting deer or elk.

1. Background/Summary of Project:

The current rulemaking project was initiated on December 2, 2015. The Department conducted an extensive public involvement process to develop the 2015-2017 hunting season recommendations.

The Department posted draft proposed rules on the WDFW website for a 30-day review and comment periods. The first comment period was before the March 18-19 Fish and Wildlife Commission meeting. The department also reviewed and discussed proposed rules with the Game Management Advisory Committee in early March and collected public testimony at the March 18-19 Commission meeting and hearing. Through these actions, the Department learned about concerns and developed proposed rule changes .

2. Reasons for Rulemaking

The department needed to provide clarification to rules, provide and/or expand recreational opportunity, and mitigate wildlife conflicts, while maintaining sustainable game animal populations across the state.

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

General Note: Minor technical changes were made throughout the proposed rules to adjust grammar and formatting concerns.

WAC 232-12-021 Importation and retention of dead nonresident wildlife.

Change: Added the state of Arkansas to the list of states that have discovered chronic wasting disease (CWD) in their wild, free-ranging deer populations. Under this rule the Commission currently requires additional processing of deer, elk, and moose carcasses harvested in these states.

Rationale: Additional processing may help reduce the risk of CWD being imported into the state.

WAC 232-12-287 Possession of dead wildlife.

Change: Under section 3, deleted the following language which makes up subsection (c): “(c) If the salvaged deer or elk has antlers, the antlers must be surrendered to a department regional or district office within 72 hours of being salvaged.”

Rationale: This process would be easier for the public and would require fewer steps if antlers are retained; it would require less staff resources and storage resources if antlers are not surrendered to the Department; and the intention of the rule is not to inadvertently create a violation that stems from road salvage.

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

Change: Removing the year 2016.

Rationale: This WAC is intended to effect the 2017 and 2018 seasons only.

Change: Removing the notes from this WAC.

Rationale: The notes are information and are published in the pamphlet, but do not need to be included in the WAC.

WAC 232-28-296 Landowner hunting permits.

Change: Under the Columbia Plateau Wildlife Management Association landowner hunting permits: For the CPWMA, Raffle 2 hunt, the dates were changed from Feb. 1-29 to Feb. 1-28.

Rationale: These changes were made because 2016 is not a leap year.

Change: Under the Columbia Plateau Wildlife Management Association special hunting permits: For CPWMA2 hunt, the dates were changed from Feb. 1-29 to Feb. 1-28.

Rationale: These changes were made because 2016 is not a leap year.

WAC 232-28-297 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

Change: Removed other options from WAC.

Rationale: 3 alternative options provided, only one adopted.

WAC 232-28-337 Elk area descriptions.

Change: The description of Elk Area No. 6064 was modified to read as follows:

Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinault) (within the Quinault River watershed east of Gatton Creek and Lake Quinault excluding US Forest Service (USFS) Colonel Bob Wilderness Area) beginning at the mouth of the Quinault River; NE on the Olympic National Park boundary, which is along the Quinault River, to the intersection with USFS Colonel Bob Wilderness Area; then SW along the Colonel Bob Wilderness area Western boundary to its intersection with Haas Creek; then downstream along Haas Creek to its intersection with USFS Olympic National Forest boundary; then SW along USFS boundary to the Lake Quinault shoreline; then N along the East shore of Lake Quinault to the mouth of Quinault River and the point of the beginning.

Rationale: This change corrects an error in the original recommended boundary change that mistakenly included Lake Quinault.

WAC 232-28-358 2015-2017 Elk general seasons and definitions.

Change: Under the Late Muzzleloader General Elk Seasons, Eastern Washington, the “any bull” hunt from Oct. 29-Nov. 15 in GMU 204 was removed.

Rationale: The intent is to manage elk in GMUs 101 and 204 consistently and under similar strategies. This recommendation addresses the concerns expressed by a landowner in GMU 204. The recommendation also addresses the desire of muzzleloaders to hunt during a better time period (early rather than late) while maintaining a sustainable elk hunting opportunity. The change corrects an omission in the CR 102 filing.

WAC 232-28-359 2015 Deer special permits.

Change and Rationale:

- Under the Quality category, the permit level for the Chiwawa, Modern, Any buck hunt from Nov. 1-20 was changed from 26 to 27 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Desert, Modern, Any buck hunt from Oct. 22-30 was changed from 16 to 14 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Teanaway, Modern, Any buck hunt from Nov. 14-22 was changed from 17 to 20 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Desert, Archery, Any buck hunt from Nov. 25-Dec. 12 was changed from 15 to 14 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Naneum, Archery, Any buck hunt from Nov. 23-Dec. 8 was changed from 8 to 7 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Quilomene, Archery, Any buck hunt from Nov. 23-Dec. 8 was changed from 5 to 6 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Chiwawa, Muzzleloader, Any buck hunt from Nov. 25-30 was changed from 2 to 3 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.

- Under the Bucks category, the boundary designation for the Williams Creek, Modern, Any buck hunt from Nov. 1-16 was changed from GMU 658 to GMU 673. This change corrects a typographical error.
- Under the Bucks category, the permit level for the Ritzville, Archery, Any buck hunt from Dec. 1-8 was changed from 5 to 10 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Antlerless category, the hunt dates for the Whitcomb, Muzzleloader, Antlerless hunt were changed from Nov. 21-27 to Nov. 29-Dec. 5. The dates and number of hunters on these hunts are coordinated with the Umatilla National Wildlife Refuge and these changes reflect those agreements.
- Under the Antlerless category, the hunt dates for the Paterson, Muzzleloader, Antlerless hunt were changed from Nov. 21-27 to Nov. 29-Dec. 5. The dates and number of hunters on these hunts are coordinated with the Umatilla National Wildlife Refuge and these changes reflect those agreements.
- Under the Antlerless category, the Whitcomb, Muzzleloader, Antlerless hunt from Aug. 31-Sept. 5 was removed. The dates and number of hunters on these hunts are coordinated with the Umatilla National Wildlife Refuge and these changes reflect those agreements.
- Under the Antlerless category, the Paterson, Muzzleloader, Antlerless hunt from Aug. 31-Sept. 5 was removed. The dates and number of hunters on these hunts are coordinated with the Umatilla National Wildlife Refuge and these changes reflect those agreements.
- Under the 2nd Deer category, the dates for the Orcas, Shaw, San Juan, Lopez, Blakely, Decatur, Cypress, Guemes, Whidbey, Camano, and Vashon-Maury modern firearm, antlerless deer hunts were changed from Oct. 15-28 and Nov. 10-13 to Oct. 15-31 and Nov. 17-20. This change makes the special permit dates consistent with the general season dates.

- Under the 2nd Deer category, the dates for the Orcas, Shaw, San Juan, Lopez, Blakely, Decatur, Cypress, Guemes, Whidbey, Camano, and Vashon-Maury archery, antlerless deer hunts were changed from Aug. 29-Sept. 23 and Nov. 23-Dec. 28 to Sept. 1-30 and Nov. 23-Dec. 31. This change makes the special permit dates consistent with the general season dates.
- Under the 2nd Deer category, the dates for the Orcas, Shaw, San Juan, Lopez, Blakely, Decatur, Cypress, Guemes, Whidbey, Camano, and Vashon-Maury muzzleloader, antlerless deer hunts were changed from Oct. 1-9 and Nov. 24-Dec. 12 to Oct. 1-9 and Nov. 23-Dec. 15. This change makes the special permit dates consistent with the general season dates.
- Under the 2nd Deer category, the dates for the Anderson, muzzleloader, antlerless deer hunt were changed from Oct. 1-9 and Nov. 24-Dec.12 to Oct. 1-9 and Nov. 24-Dec.11. This change reflects season dates desired by Regional staff and local landowners.
- Under the Hunters with Disabilities category, a Green River, Modern, Any Buck hunt from Oct. 22-28 in GMU 485 with 5 permits was added. The change corrects an omission. The permit levels and dates result from a negotiated process between Tacoma Water, Muckleshoot Tribe, and WDFW.
- Under the Hunter Education Instructor Incentive Permits category, the permit level for the Region 5 hunt was changed from 2 to back to 6 permits. Additional internal discussions will have to take place between the Regions and Hunter Education to come to an agreement on the level of permits to offer. Therefore no changes are being proposed for 2016.
- Change the season date for the Chiliwist and Entiat quality buck archery permits from November 19-27 to November 21-30. These two changes are made for safety reasons. The changes correct an overlap between special permit modern firearm and archery hunts that were discovered after the April Commission meeting.

WAC 232-28-360 2015 Elk special permits.

- Under the Quality category, the permit level for the Ten Ten, EF, any bull hunt from Oct. 24-Nov.6 was changed from 5 to 4 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Tucannon, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 12 to 14 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Wenaha East, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 12 to 11 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Mountain View, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 14 to 16 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Couse, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 2 to 3 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Colockum, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 6 to 23 permits due to an increase in the harvest target and special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Teanaway, EF, any bull hunt from Sept. 23-30 was changed from 1 to 2 permits due to special

permit allocation formula calculation providing different special permit numbers from the previous year.

- Under the Quality category, the permit level for the Green River, WF, any bull hunt from Oct. 22-28 was changed from 6 to 8 permits. The permit levels changed through a negotiated process between Tacoma Water, Muckleshoot Tribe, and WDFW.
- Under the Quality category, the permit level for the Toutle, WF, any bull hunt from Nov. 5-16 was changed from 50 to 49 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Blue Creek, EA, any bull hunt from Sept. 5-22 was changed from 4 to 5 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Mountain View, EA, any bull hunt from Sept. 5-22 was changed from 10 to 13 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Lick Creek, EA, any bull hunt from Sept. 5-22 was changed from 12 to 13 permits due to
- Under the Quality category, the permit level for the Peola, EA, any bull hunt from Sept. 5-22 was changed from 3 to 2 permits due to
- Under the Quality category, the permit level for the Couse, EA, any bull hunt from Sept. 5-22 was changed from 1 to 3 permits.

- Under the Quality category, the permit level for the Colockum, EA, any bull hunt from Sept. 10-22 was changed from 8 to 17 permits due to an increase in harvest target and special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Teanaway, EA, any bull hunt from Sept. 10-22 was changed from 1 to 6 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Peaches Ridge, EA, any bull hunt from Sept. 10-22 was changed from 126 to 134 permits due to
- Under the Quality category, the permit level for the Observatory, EA, any bull hunt from Sept. 10-22 was changed from 133 to 134 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Goose Prairie, EA, any bull hunt from Sept. 10-22 was changed from 68 to 93 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Bethel, EA, any bull hunt from Sept. 10-22 was changed from 38 to 46 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Rimrock, EA, any bull from Sept. 10-22 was changed from 105 to 71 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.

- Under the Quality category, the permit level for the Cowiche, EA, any bull from Sept. 10-22 was changed from 31 to 21 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Toutle, WA, any bull from Sept. 10-22 and Dec. 1-15 was changed from 30 to 37 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the White River, WA, any bull hunt from Sept. 10-22 was changed from 31 to 24 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Colockum, EM, any bull hunt from Oct. 1-10 was changed from 2 to 9 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Teanaway, EM, any bull hunt from Oct. 1-10 was changed from 1 to 3 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Peaches Ridge, EM, any bull hunt from Oct. 1-10 was changed from 29 to 34 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Observatory, EM, any bull hunt from Oct. 1-10 was changed from 25 to 31 permits due to special

permit allocation formula calculation providing different special permit numbers from the previous year.

- Under the Quality category, the permit level for the Goose Prairie, EM, any bull hunt from Oct. 1-10 was changed from 12 to 16 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Bethel, EM, any bull hunt from Oct. 1-10 was changed from 13 to 14 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Rimrock, EM, any bull hunt from Oct. 1-10 was changed from 13 to 9 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, the permit level for the Cowiche, EM, any bull hunt from Oct. 1-10 was changed from 10 to 9 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Quality category, “and Elk Area 4941” was added to the boundary designation for the Nooksack, WM, any bull hunt from Sept. 21-Oct. 2 and Nov. 19-30. This change makes the hunt consistent with the other Quality hunts for modern firearm and archery that already have this boundary designation.
- Under the Quality category, the permit level for the Toutle, WM, any bull hunt from Oct. 1-7 was changed from 10 to 12 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.

- Under the Bulls category, the permit level for the Teanaway, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 12 to 3 due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Bulls category, the permit level for the Peaches Ridge, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 120 to 118 due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Bulls category, the permit level for the Observatory, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 88 to 86 due to
- Under the Bulls category, the permit level for the Goose Prairie, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 77 to 84 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Bulls category, the permit level for the Bethel, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 60 to 64 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Bulls category, the permit level for the Rimrock, EF, any bull hunt from Oct. 24-Nov. 6 was changed from 124 to 83 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Bulls category, the permit level for the Cowiche, EF, any bull hunt from Oct. 24-Nov.6 was changed from 26 to 13 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.

- Under the Bulls category, the Nooksack, WF, spike bull only hunt from Oct. 8-Nov. 18 in GMU 418 and Elk Area 4941 was changed to a Skagit River, WF, any bull hunt from Oct. 8-Nov. 18 in Elk Area 4941. The intent of the change is to focus more effort on the elk area to help address damage.
- Under the Bulls category, the permit level for the White River, WF, any bull hunt from Nov. 5-16 was changed from 33 to 34 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Bulls category, the Nooksack, WA, spike bull only hunt from Aug. 29-Sept. 17 and Dec. 1-31 in GMU 418 and Elk Area 4941 was changed to a Skagit River, WA, any bull hunt, from Aug. 29-Sept. 17 and Dec. 1-31 in Elk Area 4941. The intent of the change is to focus more effort on the elk area to help address damage.
- Under the Bulls category, the permit level for the Olympic, WA, 3 pt. min. hunt from Sept. 1-22 and Dec. 1-15 was changed from 4 to 6 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Bulls category, the Nooksack, WM, spike bull only hunt from Sept. 21-Oct. 2 and Nov. 19-30 in GMU 418 and Elk Area 4941 was changed to a Skagit River, WM, any bull hunt from Sept. 21-Oct. 2 and Nov. 19-30 in Elk Area 4941. The intent of the change is to focus more effort on the elk area to help address damage.
- Under the Bulls category, the permit level for the Skokomish, WM, 3 pt. min. hunt from Sept. 24-Oct. 7 was changed from 3 to 2 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.

- Under the Bulls category, the permit level for the White River, WM, any bull hunt from Oct. 1-7 was changed from 8 to 7 permits due to special permit allocation formula calculation providing different special permit numbers from the previous year.
- Under the Antlerless category, the permit level for the Colockum, EF hunt from Nov. 4-8 was changed from 590 to 510. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Taneum, EF hunt from Nov. 2-6 was changed from 340 to 350. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Manastash, EF hunt from Nov. 2-6 was changed from 340 to 300. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Umtanum, EF hunt from Nov. 2-6 was changed from 300 to 250. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Little Naches, EF hunt from Nov. 2-6 was changed from 425 to 350. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Nile, EF hunt from Nov. 2-6 was changed from 40 to 100. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Bumping, EF hunt from Nov. 2-6 was changed from 60 to 200. The change is a result of additional data collected after the filing of the CR 102.

- Under the Antlerless category, the permit level for the Bethel, EF hunt from Nov. 2-6 was changed from 25 to 100. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Rimrock, EF hunt from Nov. 2-6 was changed from 210 to 110. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Cowiche, EF hunt from Nov. 2-6 was changed from 210 to 110. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Green River, WF hunt from Oct. 22-28 was changed from 2 to 4 permits. The permit levels changed through a negotiated process between Tacoma Water, Muckleshoot Tribe, and WDFW.
- Under the Antlerless category, the permit level for the Colockum, EM hunt from Oct. 1-7 was changed from 130 to 140. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Taneum, EM hunt from Oct. 1-7 was changed from 340 to 270. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Manastash, EM hunt from Oct. 1-7 was changed from 340 to 250. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Umtanum, EM hunt from Oct. 1-7 was changed from 340 to 215. The change is a result of additional data collected after the filing of the CR 102.

- Under the Antlerless category, the permit level for the Nile, EM hunt from Oct. 1-7 was changed from 15 to 75. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Bumping, EM hunt from Oct. 1-7 was changed from 25 to 55. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Bethel, EM hunt from Oct. 1-7 was changed from 20 to 40. The change is a result of additional data collected after the filing of the CR 102.
- Under the Antlerless category, the permit level for the Cowiche, EM hunt from Oct. 1-7 was changed from 100 to 80. The change is a result of additional data collected after the filing of the CR 102.
- Under the Youth category, the permit level for the Colockum, EF hunt from Nov. 2-13 was changed from 70 to 60. The change is a result of additional data collected after the filing of the CR 102.
- Under the Youth category, the permit level for the Yakima North, EF hunt from Nov. 2-13 was changed from 165 to 145. The change is a result of additional data collected after the filing of the CR 102.
- Under the Youth category, the permit level for the Yakima Central, EF hunt from Nov. 2-13 was changed from 15 to 50. The change is a result of additional data collected after the filing of the CR 102.
- Under the Youth category, the permit level for the Yakima South, EF hunt from Nov. 2-13 was changed from 50 to 30. The change is a result of additional data collected after the filing of the CR 102.

- Under the Youth category, a new Yakima Central, EM hunt was added for Oct. 1-10 with 20 permits. The change is a result of additional data collected after the filing of the CR 102.
- Under the Youth category, the permit level for the Yakima South, EM hunt from Nov. 2-13 was changed from 20 to 10. The change is a result of additional data collected after the filing of the CR 102.
- Under the 65+Senior category, the permit level for the Colockum, EF hunt from Nov. 2-13 was changed from 20 to 15. The change is a result of additional data collected after the filing of the CR 102.
- Under the 65+Senior category, the permit level for the Yakima Central, EF hunt from Nov. 2-13 was changed from 5 to 10. The change is a result of additional data collected after the filing of the CR 102.
- Under the 65+Senior category, the permit level for the Yakima South, EF hunt from Nov. 2-13 was changed from 15 to 10. The change is a result of additional data collected after the filing of the CR 102.
- Under the 65+ Senior category, a new Yakima Central, EM hunt was added for Oct. 1-10 with 15 permits. The change is a result of additional data collected after the filing of the CR 102.
- Under the 65+ Senior category, the Yakima South, EM hunt was deleted. The change is a result of additional data collected after the filing of the CR 102.
- Under the Hunters with Disabilities category, the Colockum EF, EM, EA hunt from Nov. 2-13 was changed from 20 to 15 permits. The change is a result of additional data collected after the filing of the CR 102.

- Under the Hunters with Disabilities category, the Yakima North EF, EM, EA hunt from Nov. 2-13 was changed from 65 to 40 permits. The change is a result of additional data collected after the filing of the CR 102.
- Under the Hunters with Disabilities category, the Yakima Central EF, EM, EA hunt from Nov. 2-13 was changed from 5 to 20 permits. The change is a result of additional data collected after the filing of the CR 102.
- Under the Hunters with Disabilities category, the Yakima South EF, EM, EA hunt from Nov. 2-13 was changed from 20 to 10 permits. The change is a result of additional data collected after the filing of the CR 102.
- Under the Hunter Education Instructor Incentive Permits category, the permit level for the Region 5 any elk hunt was changed from 2 back to the original 4 permits. Additional internal discussions will have to take place between the Regions and Hunter Education to come to an agreement on the level of permits to offer. Therefore no changes are being proposed for 2016.

WAC 232-28-436 2015-2016 Migratory waterfowl seasons and regulations.

Change: WAC title from 2015-2016 to 2016-2017.

Rationale: Update to current season years.

Change: the areas closed during the Goose Management Area 2 late goose season from “public lands” to “U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas”.

Rationale: The late goose season in Goose Management Area 2 is intended to reduce agricultural damage concerns from increasing goose populations on private lands in southwest Washington. This change further defines the closed areas on public lands during the season in February and early March, when geese are more likely to damage agricultural crops on private lands. During the 2016 late goose season, there was confusion among some hunters regarding the

definition of public lands (e.g. rivers) versus private lands, and differences in Oregon and Washington closed areas on adjacent areas of the Columbia River. The above change provides more clarity in specifying which areas are closed and more consistency with Oregon regulations.

Change: possession limit for eastern Washington September Canada season from 15 to 10.

Rationale: Because this season is only 2 days, the possession limit cannot exceed 10 geese under federal regulations.

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

Change: We are recommending changing the nomenclature and definition of the “half-curl or smaller ram” hunt in the Chelan Butte bighorn herd. The improved nomenclature is “juvenile ram.” The definition for this type of animal appears below.

Rationale: There is no change in the number of rams to be removed in this hunt, nor in the rationale for removing these rams (to balance the herd, which we desire to reduce generally). The new name and definition was recommended by enforcement and district staff following consultation, to improve clarity of what is a legal animal for purposes of this hunt, to both hunter and enforcement.

Change: We are recommending increasing the number of ewe permits in the Cleman Mountain bighorn sheep herd for hunting season 2016 from 5 to 10 and to change the hunt dates from Nov. 7-30 to Nov 12-30.

Rationale: This herd has considerably more animals than its management goal, so our immediate objective is to reduce herd size. We had hoped to move some female bighorn sheep from this herd to a nearby herd (Quilomene) during winter 2015-16, but were unable to accomplish that transfer. To reduce the risks associated with over-abundance, we recommend increasing ewe harvests this year. The change in hunt dates is proposed to reduce the overlap between ram and ewe hunters.

Change: 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 animals’ 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.”

Rationale: Improve clarity of definition for both hunter afield and enforcement.

WAC 232-12-245 Baiting for the purposes of hunting deer or elk.

Change: Sub-section 2 was modified by adding language that clearly identifies the hunter would need to have intent to hunt over bait.

Rationale: it became apparent that the burden of proof to identify and “area” was too difficult and that proving intent to hunt was more appropriate.

Change: Subsection 3 was modified by adding language that made it illegal to hunt over or near a bait pile that is “known” or of the same license holder.

Rationale: without this clarification, the rule would potentially make a hunter who is unaware of another hunter’s bait site illegal. Keeping a hunter from being unknowingly in violation is a value.

Change: Subsection 4(e) was modified by adding language that allowed the department to issue a permit for hunting over bait.

Rationale: having a department-issued permit allows the department to utilize larger baiting operations for hunting as long as it meets a management objective.

4. Public comments and WDFW response to comments

A total of 3,142 comments - online and written - were received during the commenting period.

WDFW staff worked with several organizations representing both industry and conservation on the development of the proposed changes. These groups included the Washington Trapper's Association, Washington Farm Bureau, Washington Farm and Forestry Association, Washington Forest Protection Association, Washington Cattlemen's Association, Conservation Northwest, Defenders of Wildlife, a consortium of conservation organizations, tribal representation, and others. The final rule changes considered by the Fish and Wildlife Commission reflect significant stakeholder input.

In addition to editorial and process comments, many of the comments received from the organized groups and through the on-line comment process were focused on particular aspects of the rules. There were several comments received through the on-line commenting process that didn't address specific changes proposed under this rule making but were general statements against removal of wildlife causing damage.

Summary of Public Comments Received during Official Comment Period and WDFW Response for amended rules:

WAC 232-12-228 Hunter Education Deferral

The rule change addresses the need to remove language pertaining to outdated practices, clarify language, and allow the department (Hunter Education and Licensing Divisions) to provide improved customer service. Some comments expressed concern that hunter education and basic firearm safety training should be required prior to hunting. One suggestion was to eliminate the deferral and offer license discounts for hunters or Hunter Education graduates instead. One individual suggested Hunter Education is a bottleneck to recruiting new hunters, and supports efforts to increase the number of available hunter education classes and thus the number of students. The department is not recommending changes to the proposal based on public comments. The vast majority of commenters were either supportive of the rule changes or chose not to comment on the deferral proposal. Washington's hunter education deferral program was implemented in 2007 to address a perception that the hunter education requirement was a barrier for potential new hunters. The program also allows

individuals who may be undecided about hunting to experience it (with an accompanying hunter) without making the time investment to take a hunter education course. The deferral program is viewed as a way to help improve hunter recruitment. Thirty-five other states currently offer a similar program. For these reasons, the department supports retaining the hunter education deferral in its current form. The rule change would not make substantive modifications to the deferral program, but would eliminate language related to an outdated administrative practice, allow for greatly improved customer service, and reduce agency administrative costs.

WAC 232-28-436: 2016-2017 Migratory game bird seasons and regulations.

Four comments wanted to shift the waterfowl season later, two comments asked for a separate light and dark goose limit, two wanted higher goose bag limits, two asked for opening of a swan season, one wanted the Canada goose season to start earlier, one asked for duck and goose seasons to be on the same dates, one requested clarification that mergansers are part of the duck bag limit, one wanted the possession limit for the eastside September Canada goose season changed to 10, one asked for a longer September Canada goose season in eastern Washington, and one wanted a spring snow goose season in eastern Washington. A total of nine comments asked for changes to the season in Goose Management Area 2 (southwest Washington). Of those comments, five asked for an increase in hunt days from 3 to 7 days per week, three asked for the season to start the same date as the duck season, one asked for the hunting hours to be same as for ducks, one asked for the late season to open in all areas, and one asked to eliminate the special authorization for the area. Two comments were received related to other migratory game birds, including one that asked for a longer band-tailed pigeon season and one that asked for a longer mourning dove season. Additional comments received were not relevant to the proposed rule change. Migratory waterfowl season frameworks are established through ongoing interagency management programs involving U.S. Fish and Wildlife Service (USFWS) and flyway organizations, including input from Canada, Russia, and Mexico. Federal frameworks include maximum bag limits, season lengths, season timing, and other regulations. Pacific Flyway season frameworks follow harvest strategies and

management plans that have been developed cooperatively by USFWS and the Pacific Flyway Council. All states adopt waterfowl seasons within federal frameworks, and in many cases are more restrictive to address regional conservation needs. Current season proposals in 232-28-436 are designed to maximize recreational opportunity and reduce agricultural damage concerns, consistent with the status of migratory game bird populations and guidelines in the WDFW Game Management Plan. In general, our seasons are as late as possible, and have the maximum season length and bag limits allowed under the 2016-17 federal frameworks. A recommended adjustment in the rule would change the possession limit to 10 for the eastside Canada goose season. Other suggestions will be evaluated in developing comments on 2017-18 federal regulations. Regarding the season in Goose Management Area 2 (southwest Washington), the season is limited to three days per week based on budget requirements for adequate monitoring of the season. Based on public input, the goose season is proposed to open concurrent with the duck season for 9 days, and a recommended adjustment to the late season would open more areas for hunting. Hunting hours and the authorization requirement are not open for change based on federal regulations.

WAC 232-16-740 Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures

The purpose of this change is to amend WAC 232-16-740, Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures and to correct an inaccurate boundary description for the closure on the Snake River contained in subsection 6. One comment asked to increase the size of the Snake River closure, one questioned the need for the closure, one asked to reduce the size of another closure on the Columbia River, and one asked for trapping to be allowed in the Snake River closure after the close of the waterfowl season, and other 3 comments were not relevant to the proposed rule change. Game reserves and closures are intended to improve distribution of waterfowl and other wildlife, allow access by wildlife to important habitat use areas during hunting seasons, and improve hunting success and viewing opportunities. The department

supports clarifying existing rules when necessary to address these goals. Trapping is allowed in this closure after the close of the waterfowl season.

WAC 232-28-342 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

The purpose of this change is to specify legal season dates, bag limits, and open areas to hunt small game and other wildlife for the 2016-17 and 2017-18 hunting seasons. In this proposal HIP requirements are removed from WAC 232-28-342 and are included in WAC 232-28-436. Comments related to turkey season were the most common, although most of them were not directed at the proposed changes. Comments provided were generally recommending expanded hunting opportunities (dates and bag limits) in several parts of the state. The proposed rule change would expand hunting opportunities in the eastern-most part of the state, which addresses some of this desire. Requests to expand the season or bag limit beyond what is proposed will likely require broader discussion due to overlapping seasons with other species. These discussions are better addressed during the 3-year season setting process. More than one comment was received asking for cheaper turkey tags; however, tag prices are set by the legislature and cannot be changed by Commission rule. Others commented on a desire to start the western Washington pheasant season later and extend the season into late December. This has been discussed in past years, but many of the pheasant hunting sites are also waterfowl hunting areas and there is a desire to keep the seasons from conflicting. Additional comments included requests to extend crow seasons (something that is regulated by a federal season framework and thus is not easily changed) and to consider wolf seasons (something that is not legally done in Washington). One comment asked for air-rifles to be made legal, which is something that we will put on our list of topics for discussion during the 2017-21 3-year package. A couple of comments were received addressing bag limits for pheasant and grouse. Bag limits for all upland birds have been discussed in the past. For pheasant, since only rooster pheasants are harvested, reducing the bag limit by one would not likely impact overall pheasant populations. For grouse, the 3 birds of one species restriction was meant to reduce potential harvest of 4 spruce grouse, which are the more vulnerable of the forest grouse species. It is

important to note that the migratory bird rules that are proposed to be removed from this rule are not being deleted entirely, but rather being added to a migratory bird rule.

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

The department recommended a few minor changes to bighorn hunting for 2016 to maintain the population size and hunter opportunity and reduce the risk of bacterial infection from domestic sheep/goats by reducing the tendency of animals in over-abundant herds to foray from their core ranges. The most frequent theme among those writing in opposition to the changes in this WAC expressed a desire for the Department address the issue of over-abundant bighorn herds through translocation to existing herds or initiation of new herds, rather than ewe hunts. Others objected to Department efforts to stop population growth, or reduce herd size, entirely. One commenter questioned if the new juvenile ram permit hunt is advisable. Two commenters expressed concerns about the proposed disabled-hunter only permits for juvenile rams. One writer was concerned that some hunters meeting the disabled definition are not truly handicapped. One commenter expressed dissatisfaction that the disabled-only hunt was restricted to juvenile rams. A few commenters expressed a general frustration with the low odds of drawing a bighorn sheep permit in Washington. The desire, in future, for an “over-65” category, and a ‘master-hunter’ category for bighorn sheep was also expressed in separate comments. Although the Department recognizes that having a larger statewide population of bighorn sheep would be desirable, we continue to support limiting the number of bighorns within each identified herd. The primary rationale for preventing herds from exceeding our rough population targets is that larger, denser herds are more likely to become infected with pneumonia than smaller ones. Larger herds are more likely to contain animals that wander outside of the usual, “core” ranges, encounter domestic sheep or goats, and then return to the herd, possibly infected with pneumonia-causing bacteria. Thus, the long-term interests of these herds are served by reducing them when they become over-abundant. The Department recognizes that translocation and/or initiating new bighorn herds better meets our long-term objective of sustaining and if possible, increasing bighorn sheep

populations in Washington than does offering ewe permits. However, at the present time, the Department has no options for doing either of these. Juvenile rams are also prone to wandering from their core range, and if they do, present a risk to the herd (for the reasons above). Hunters generally opt to take the largest ram they can; thus simply increasing the number of draw permits for a herd is unlikely to reduce the size of the juvenile component of the herd. The Department considers the Chelan Butte herd to be at risk of exposure to pneumonia from the over-abundance of rams; the combination of draw permits (which will likely remove older animals) and the juvenile permits will reduce this risk. The definition of disabled is beyond the scope of this WAC. As well, disabled hunters may also apply for regular draw permits, which would allow them to kill any ram, in addition to applying for the disabled-only permits. 12

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.

There are three reasons for the department to change this rule: (1) Increase hunter interest in deer hunting and provide additional revenue for the deer/elk section; (2) Increase revenue available to monitor moose populations and (3) GMU 175 represents the area typically used by the Asotin bighorn sheep herd. A few of the generally supportive comments reflected a view that auctions, as well as raffles (which typically, although not universally, are won by hunters buying many tickets) are unfortunate elements of our funding system, in that they are generally beyond the means of most hunters, and thus provide a unique opportunity to an elite few. These commenters however, generally understood the rationale and benefit of the system. An additional 3 commenters said that they had no comment on this proposed rule change. The most frequent theme among those writing in opposition to the changes in this WAC expressed unhappiness with the general concepts under-pinning the use of auction and raffle permits to help fund specific WDFW management programs. A concern expressed by a number of comments is that WDFW prioritizes income generation over providing opportunity to the general hunter. On moose specifically, one commenter suggested allowing hunters who have successfully harvested an antlered moose under an “any moose” permit to apply again following a waiting

period. This WAC does not change the rules pertaining to regular moose permit drawings; this suggestion could be considered again at the next 3-year package. Another suggested having “quality moose” permits instead of auction or raffle tags. On deer specifically, a few commenters expressed the desire for the newly suggested “3-deer raffle” to be species-specific. The Department may not have been sufficiently clear in summarizing this proposed rule change that the new auction is for 1 of each of the 3 types of deer present in Washington (mule deer, white-tailed deer, black-tailed deer). Although we recognize that some members of the public find the auctions and raffles distasteful, the Department sees them as having only a very minor effect on the total number of permits allowable for the general draw, while substantially increasing funding available to manage these species for all citizens. The Department thus recommends retaining the WAC as is, with the two recommended revisions being considered by the Commission in March 2016.

WAC 232-28-296 Landowner Hunting Permits

This rule change supports Fish and Wildlife Commission policy to expand the private lands available to the general public for hunting. One of the programs that was 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. Those comments in opposition recommended that the program be discontinued and were concerned that only a select group of hunters were able to take advantage of the additional land access. Others did not want private landowners to be able to sell the permits. The rationale behind the Landowner Hunting Permit program is to increase public hunting on private lands which it is doing. The proposed changes to the Landowner Hunting Permit WAC are date changes. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-28-624 Deer Area Descriptions

The designation of Deer Areas allows 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. Those comments opposed to the rule change expressed concern that the regulations would become more complicated and more difficult to discern. Another was concerned the additional boundaries could have a negative impact on hunter recruitment. The intent of Deer Areas is to allow hunting to be used as a management tool at a smaller, more flexible scale than the Game Management Unit. The changes recommended create three new Deer Areas to accomplish this. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission

WAC 232-28-337 Elk Area Descriptions

The reason behind this change is that 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. Most comments in opposition to the change were concerned that the regulations would become more complicated and more difficult to read and understand. One did not see the value in having elk areas at all. As stated earlier, the intent of this change for the Elk Areas is to allow hunting to be used as a management tool at a smaller, more flexible scale than the Game Management Unit. The changes recommended create one new Elk Area, eliminate one old Elk Area, and modify the boundaries of two existing Elk Areas. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-28-248 Special Closures and Firearm Restriction Areas

The reasons for the 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. A handful of comments opposed the proposed rule, with most citing too many restrictions already in the hunting pamphlet. Another comment encouraged the restriction should be enforced year

round. The intent of firearm restriction areas is to continue to use hunting as a management tool while providing for public safety in specific locations. The recommendation clarifies the timing of a firearm restriction area in Grays Harbor County. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-12-828 - Hunting of game birds and animals by persons with a disability.

There were a few comments that opposed the change, primarily because they did not want anyone shooting from a vehicle. Additionally, there was a request for further defining a disabled hunter. This definition exists in WAC 232-12-825. Other comments were indirectly related to the proposed changes, including a request to allow disabled hunters to access all WDFW lands without reservations or restrictions. These comments were referred to the Hunters with Disabilities Coordinator for use in developing programs and outreach materials.

WAC 232-12-287 Possession of Dead Wildlife

This proposal allows citizens to salvage meat from a deer or elk that has been killed in a vehicle collision. Several comments opposed the proposed rule, primarily based on the concern that the program would lead to increased poaching. Another was concerned that existing food bank donations may be affected. Some additional comments were provided, including a request to allow the antlers of a buck or bull to be kept, placing a limit on the number of salvage animals that could be picked up in a year, allowing for moose to be salvaged, and requiring people to purchase a tag to put on the salvage animal. Allowing for vehicle-killed animals to be salvaged has been successfully implemented in other states, including Montana and Idaho, and we anticipate being successful in Washington. While Washington roadways are certainly different than these states, the process to allow salvage of road-killed deer and elk is still applicable. At this point, there is no legislative authority to charge for a salvage permit, so that is not an option. Staff have also considered whether to include moose in the rule, but the recommendation is to try this new rule with deer and elk before addressing moose. Not allowing the retention of antlers is being recommended to reduce the incentive for poaching. It is important to note that a salvage permit

does not remove responsibility from the public to obey all road safety and trespass rules. Additionally, it is important to clarify that, just as seen in other states, WDFW or the state of Washington cannot guarantee meat quality and persons salvaging and consuming this meat do so at their own risk.

WAC 232-12-021 Importation of Dead Non-resident Wildlife

This change reduces the risk of CWD being imported into Washington State via carcasses of animals harvested in other states. Reducing disease risk helps in sustaining deer, elk, and moose populations and hunting opportunities in Washington. A handful of comments opposed the proposed rule, primarily based on the belief that the rule should apply to all deer, elk, and moose from any state, not just those with confirmed cases of chronic wasting disease. A couple other comments were concerned about the increased regulation from WDFW on what they deemed to be personal property. The intent of the rule is to reduce the risk of deer, elk, and moose carcasses being imported from states that have chronic wasting disease in their wild, free-ranging populations without additional processing. The recommendation adds the state of Michigan. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-12-286 Hoof Transport

A small number of comments opposed the rule, with a general consensus forming around the belief that it would be more effective to leave the hooves in the field. The intent of the rule is to reduce the risk of TAHD from spreading by restricting the transport of affected hooves to different locations. The recommended change to the rule would allow the transport of affected hooves by department staff and members of the public cooperating with Department research. This modification was made as an emergency rule change in 2015. This recommendation would make the rule change permanent. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-12-239 Baiting for the purposes of hunting deer or elk; WAC 232-12-245 Baiting for the purposes of hunting deer or elk; and WAC 232-12-246 –Bait volume limits for the purpose of hunting deer or elk.

In the last three years, the department has been approached by hunters and landowners that do not approve of the practice of baiting for the purposes of hunting deer or elk. Additional input was received as part of the 3-year hunting season package, public process in 2015. This change drew a large number of comments. Over 75% of the comments were not in favor of changing the existing baiting rules, most of them passionately opposed. Commenters provided a variety of insight into why they opposed a change, including:

- Removes traditional hunting opportunities.
- Unfairly targets youth, senior, and disabled hunters who benefit from hunting over bait.
- Unfairly targets archery hunters who use bait to ensure clean, ethical shots.
- Removes a hunting tool from those who are hunting on small parcels of land in crowded landscapes.
- It is not right to regulate what is ethical for one hunter versus another.
- There is no scientific proof that baiting deer or elk is causing a biological problem.
- Unfairly impacts “working-class” hunters who cannot afford to purchase land or maintain a food plot.

Restrictions would just be another blow to hunters in Washington.

- Many hunters would no longer hunt and this could reduce revenue.

A small minority (~10%) of the commenters supported eliminating baiting for deer and elk entirely. These commenters were also very definite in their opinions, which were primarily based on concern for disease transmission, unfair hunting, and overall wellbeing for the animals. Approximately 15% of the comments showed some level of support for restricting the use of bait for deer and elk hunting. Commenters who supported some restriction had more support for the “10 gallon” option than for the “10 gallons with a 200 yard separation” option.

The primary reason commenters cited was that the 200 yard restriction would be very difficult to enforce, especially in cases where one hunter may not know the location of another hunter's bait pile.

WAC 232-28-357 2015-2017 Deer general seasons and definitions.

The goal of this change was to provide for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable general deer hunting season opportunities for 2016. The change helps address deer agricultural damage problems and provides for deer population control when needed. The most frequent theme in opposition to the change was that there was not enough late season opportunity, too much opportunity being offered, not agreeing with consistency between mule deer and white-tailed deer seasons, and not agreeing with the calendar date adjustments that happen every year which influence season length. Furthermore, there were comments in opposition expressing concerns about issues that were not part of this public process. Those included the following: suggestions that were outside the authority of the Department and the Fish and Wildlife Commission, suggestions that asked for something that already existed, and suggestions that were under the purview of federal treaties. Additional suggestions called for substantial changes in hunting season structures which are typically done through an extensive public process every 3 years. That next public process will take place in 2017 in preparation for the 2018-2020 hunting seasons. The minimal changes being proposed are intended to provide sustainable hunting season opportunities without having a negative impact on the wildlife resource. The opposing comments were typically recommending changes that would undo management actions that are necessary for sustaining hunting seasons and maintaining healthy deer populations. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-28-359 Deer Special Permits

The purpose of this change is to retain special permit deer hunting opportunity for 2016. 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. Most comments in opposition were concerned that the number of permits were either too high or too low for their favorite hunt. Other opposing comments suggested new hunts that don't currently fit with the management strategies being employed or were of the opinion that their particular user group (modern firearm, archery, muzzleloader, youth, senior, disabled, master hunter, hunter education instructor) was not getting enough opportunity via the special permit hunts. Almost half of the comments fell under the "other" category. Those comments expressed concerns about issues that were not part of this public process. Those included: suggestions that were outside the authority of the Department and the Fish and Wildlife Commission, suggestions that asked for something that already existed, and suggestions that were under the purview of federal treaties. Additional suggestions called for substantial changes in special permit hunting season structures which are typically done through an extensive public process every 3 years. That next public process will take place in 2017 in preparation for the 2018-2020 hunting seasons. The minimal changes being proposed are intended to provide sustainable hunting season opportunities without having a negative impact on the wildlife resource. The opposing comments were typically recommending changes that would undo management actions that are necessary for sustaining special permit hunting seasons and maintaining healthy deer populations. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-28-358 Elk General Seasons and Definitions

The purpose of this change is to retain general season elk hunting opportunity for 2016 and balance the elk hunting opportunity between user groups. In addition,

the change increases elk hunting opportunity when elk populations allow. Those opposed to the change expressed concerned with the timing and length proposed for their favorite hunt. They were also concerned about which types of animals were legal during general season: antlerless, spikes, branch-antlered bulls, etc. Other opposing comments suggested new hunts that don't currently fit with the management strategies being employed. Still others were of the opinion that their particular user group (modern firearm, archery, muzzleloader, youth, senior, disabled, master hunter, hunter education instructor) was not getting enough opportunity via the general season hunts or they were opposed to other user groups getting the opportunity that was proposed. Over half of the comments received fell under the "other" category. Those comments expressed concerns about issues that were not part of this public process. Those included: suggestions that were outside the authority of the Department and the Fish and Wildlife Commission, suggestions that asked for something that already existed, suggestions that are illegal under Washington Administrative Code, and suggestions that were under the purview of federal treaties. Additional suggestions called for substantial changes in general season hunting season structures which are typically done through an extensive public process every 3 years. That next public process will take place in 2017 in preparation for the 2018-2020 hunting seasons. The minimal changes being proposed are intended to provide sustainable hunting season opportunities without having a negative impact on the wildlife resource. The opposing comments were typically recommending changes that would undo management actions that are necessary for sustaining general hunting seasons and maintaining healthy elk populations. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-28-360 Elk Special Permits

The purpose of this change is to retain elk special permit hunting opportunity for 2016. Also, 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. The proposal makes minor adjustments to season dates. The comments opposed to the rule were most concerned that the number of permits were either too high or too low for their favorite hunt. Other opposing comments suggested new hunts that don't currently fit with the management strategies being employed or were of the opinion that their particular user group (modern firearm, archery, muzzleloader, youth, senior, disabled, master hunter, hunter education instructor) was not getting enough opportunity via the special permit hunts. Comments that came under the "other" category expressed concerns about issues that were not part of this public process. Those included the following: suggestions that were outside the authority of the Department and the Fish and Wildlife Commission, suggestions that asked for something that already existed, and suggestions that were under the purview of federal treaties. Additional suggestions called for substantial changes in special permit hunting season structures which are typically done through an extensive public process every 3 years. That next public process will take place in 2017 in preparation for the 2018-2020 hunting seasons. The minimal changes being proposed are intended to provide sustainable hunting season opportunities without having a negative impact on the wildlife resource. The opposing comments were typically recommending changes that would undo management actions that are necessary for sustaining special permit hunting seasons and maintaining healthy elk populations. The comments received on this WAC that inspired changes to the recommendations pertained to the desire to have more special permit Quality opportunities in the Colockum hunts. None of the other comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.

WAC 232-28-286 2016-2018 Spring Black Bear Seasons and regulations.

The purpose of this change is to establish harvest guidelines for 22 spring bear hunts around the state. The anticipated effects include timber damage or public safety mitigation and providing for hunting recreation within harvest levels described in the 2015-21 Game Management Plan. Many comments included came from individuals who wanted to see a general spring bear hunt or that wanted to use hounds for bear hunting. 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 of female bears in the harvest, the median age of harvest males, the median age of harvested females, and total harvest. In terms of the comments that wanted some form of more liberal bear seasons, the bear populations will be assessed again prior to the next 3-year hunting season package using the same harvest parameters plus any additional research data from ongoing projects. In terms of the 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 rulemaking process.

WAC 232-28-297 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

The most common comment came from individuals who wanted to see hound hunting as a legal method to hunt cougars. The department did not consider hound hunting in this recommendation because current laws prohibit the use of hounds in sport hunting of cougars. The second most common expressed concern was that there are too many cougars on the landscape and that there is a need to reduce cougar numbers to help struggling ungulate populations. According to the department 2015-21 Game Management Plan, cougars are managed for long-term sustainability, while at the same time maximizing recreational opportunities and minimizing conflict with people. The Department based the cougar hunt guidelines on research conducted in Washington. Through that research, it was determined that a cougar harvest rate of 14% of an estimated cougar population should result in a stable cougar population and that also retains dominant cat territoriality. Since 14% is based on an estimate of reproduction and natural mortality, a range of 12-16% is used. The estimated cougar population in a hunt area (or Population Management Unit (PMU)) is based on amount of available cougar habitat in that PMU. The cougar harvest guidelines are created by combining the estimated cougar population with the 12-16% harvest rate. This approach is intended to maintain a stable cougar population on a statewide scale.

The department has begun work to identify which, if any, ungulate populations are below population objectives. The 2015-17 Game Management Plan identified this objective as effort to help answer concerns related to predator impacts on ungulates.