

Concise Explanatory Statement

2017-2018 Hunting Regulations

Rules amended as part of this rulemaking:

- WAC 232-28-248 Special closures and firearm restriction areas.
- WAC 232-28-273 2012-2014 Moose seasons, permit quotas, and areas.
- WAC 232-28-291 Special hunting season permits.
- WAC 232-28-296 Landowner hunting permits.
- 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 232-28-357 2015-2017 Deer general seasons and definitions.
- WAC 232-28-359 2015 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 with changes only related to re-codification:

- WAC 232-12-021 Importation and retention of dead nonresident wildlife.
- WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits
- WAC 232-28-299 Mandatory report of hunting activity
- WAC 232-28-358 2015-2017 Elk general seasons and definitions.

The proposed changes to these four rules are limited to corrections to WAC headings or internal references to other WACs that are subject to the recodification of WAC title 232. This is part of the department's effort to clean-up and better organize WDFW's administrative code and provides the public and department staff with a more logical and navigable code. It will also consolidate all rules under one WAC Title and should accomplish a streamlined, legally accurate, and legally adequate administrative code.

WAC 232-28-248 Special closures and firearm restriction areas.

Reasons for adopting these rules:

The changes to the Special Closures and Firearm Restriction Areas WAC that were recommended by Department staff are administrative changes that clarify road names and GMU names. 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.

Differences between the proposed rule and the rule as adopted:

- None.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

There were 34 written comments submitted pertaining to the proposed changes to WAC 232-28-248. Of those, 21 were generally in agreement with the proposed changes. The supportive comments cited clarification and more navigable boundaries as positive aspects of the recommendations. One comment suggested the Department provide maps for these closures. The Department does provide mapping products and tools for game management units (GMUs), deer areas, and elk areas, but it is unlikely that we have the capacity or the resources to provide additional products above and beyond the legal descriptions that cover these areas.

Opposing, Neutral, and Other Comments:

Of the 34 comments submitted, there were 11 that were in general disagreement with the proposed changes and 2 were neutral with regard to the changes. Of the total comments, there were 2 that were not pertinent to the rule in question. One comment suggested allowing “short range” weapons, which the rule already does by allowing the most appropriate equipment for the specific location. Another individual did not support any additional reduction in access or opportunity; however, the proposed changes to the rule don’t reduce access or opportunity.

There was no public testimony at the March Fish and Wildlife Commission meeting pertaining to this rule proposal.

Direction and Rationale:

This is the third and final year of a three-year hunting season package (2015-2017); therefore, the proposed changes are minor. Substantial changes to hunting seasons and regulations are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

The Department will move forward with the recommendations to the Fish and Wildlife Commission.

WAC 232-28-273 Moose seasons, permit quotas, and areas.

Reasons for adopting these rules:

Department staff recommended 1) reducing any moose permits in the combined GMU 127 and 130 hunting unit (“Hangman”) from 7 to 4; 2) reducing antlerless-only moose permits in GMU 127 from 7 to 4; 3) extending season length of the Parker Lake archery (moose area 3) hunt from Sept 1-26 to Sep 1-30; 4) extending season length of Parker Lake muzzleloader from Sept 27-Oct 5 to Oct 1-31; and 5) increasing the number of Hunter Education Instructor Incentive permits from 2 to 4, but expanding the GMUs open to these permit holders to include GMUs 101, 105, 108, 111, 113, and 121.

Feedback from hunters during seasons 2015 and 2016 indicated it has been increasingly difficult to find moose in GMUs 127 and 130. Feedback from hunters has indicated that more time has been needed to successfully hunt in the Parker Lake area, and military officials have suggested these specific season dates. Increasing the hunter education instructor incentive permits will help incentivize instructors to meet program goals and public demand.

Differences between the proposed rule and the rule as adopted:

- The title of the WAC was changed to “2017 Moose seasons, permit quotas, and areas” to reflect the current year.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

The Department received a total of 47 written comments, of which 27 indicated that they generally agreed and 19 generally disagreed with the Department’s proposed changes for 2017 (one was neutral).

Those supporting proposed changes for 2017 agreed that reducing the number of permits in GMUs 127 and 130 is appropriate, given that fewer moose have been seen in these areas in recent years, and agreed with lengthening the season at Parker Lake.

Opposing and Other Comments:

Those objecting to proposed changes for 2017 primarily expressed displeasure at increasing the number of hunter instructor incentive permits from 2 to 4, given the low odds of drawing a moose permit generally.

Although a few respondents noted abundant moose, more were concerned with what they perceive as a decline in the moose population compared with recent years. One comment suggested changing the “once-in-a-lifetime” restriction for the “any moose” category to a required 3-year wait. (This would be a 3-year package proposal if moved forward).

There was no public testimony at the March Fish and Wildlife Commission Meeting pertaining to this rule proposal.

Direction and Rationale:

Department staff recommends the following changes for 2017:

- 1) Reduce antlerless tags in the two units south of Spokane, in response to anecdotal reports of fewer moose seen as well as lower hunter success. (There are no wolf packs affecting these moose).
- 2) Lengthen seasons at Parker Lake, providing those hunters with more opportunity to harvest a moose within this fairly small geographic area.
- 3) Increase hunter education incentive permits from 2 to 4 for the 2017 hunting season only, but reassess this increase beginning with the next 3-year hunting season package (2018-2020).

WAC 232-28-291 Special hunting season permits.

Reasons for adopting these rules:

WDFW staff recommended allowing the department to restore points to hunters that draw a damage hunt administered by a WDFW designated hunt coordinator, but do not get called to participate.

Feedback from hunters since the inception of this type of hunt suggests that this is a problem that can be fixed by the proposed changes.

Differences between the proposed rule and the rule as adopted:

- None.

Comments received during the official public comment period and as testimony received at the public hearing:

Summary of Comments:

We received 566 comments on this recommendation. Ninety one percent of people who commented were in favor of the recommended change. Five percent were opposed with comments that generally indicated that the rule in its current form was clear in intent and provided language that indicated points would be lost. Three percent of comments were neutral and one percent did not indicate how they felt about this change.

No public testimony was received on this rule proposal at the March Fish and Wildlife Commission meeting.

Direction and Rationale:

The majority of the comments received (91%) were in favor of the recommended change and we believe this will benefit the few hunters that fall into that category.

WAC 232-28-296 Landowner hunting permits.

Reasons for adopting these rules:

Department staff recommended modifying hunt dates on properties enrolled in WDFW's Landowner Hunting Permit (LHP) program for the 2017 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, raffles, or selection by the landowner.

Several years ago, the Fish and Wildlife Commission developed a policy to expand the private lands available to the general public for hunting. One of the programs 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.

Differences between the proposed rule and the rule as adopted:

- None.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

About 60% of the 42 comments received supported the proposed rule change. The majority of the comments appreciated the land access offered by these permits.

Opposing and Other Comments:

About 40% of the 42 comments received opposed the proposed rule change. Most recommended 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.

Other comments were somewhere in the middle, with support for landowner permits for use by landowners, but opposition to landowners being able to sell the permits.

There was no public testimony at the March Fish and Wildlife Commission meeting pertaining to this rule proposal.

Direction and Rationale:

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.

This is the third and final year of a three-year hunting season package (2015-2017); therefore, the proposed changes are minimal. Substantial changes to hunting seasons and regulations are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

WAC 232-28-337 Elk area descriptions.

Reasons for adopting these rules:

Department staff recommended the removal of six elk areas (EA) in Grays Harbor, Mason, Clallam, and Jefferson Counties. These elk areas (EA 6012, EA 6062, EA 6066, EA 6068, EA 6072, and EA 6073) are no longer needed to mitigate wildlife conflict.

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 (GMU). Setting seasons at this scale allows for more strategic wildlife management using hunting as a tool to control populations and mitigate wildlife conflict. When the need for a particular elk area subsides, the Fish and Wildlife Commission adopts amendments to the rule that removes those particular elk areas.

Differences between the proposed rule and the rule as adopted:

- None.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

A total of 24 written comments were received on this proposed WAC change. Of those, 14 generally agreed with the proposed recommendations. Supportive comments cited simplification and clarity as reasons for support. The comments in support indicated that they trusted the Department to make appropriate hunting season recommendations and assumed that those recommendations would be informed by sound science whenever possible.

Opposing, Neutral, and Other Comments:

Of the 24 comments received, 4 generally disagreed with the proposals and 6 were neutral in regard to the proposed recommendations.

One comment suggested we create an elk area and provide more restrictive seasons in an area where the Department is trying to not manage for elk. The Department is disinclined to propose that change.

There was some misunderstanding about the proposed changes by some who commented. There was 1 public testimony in this regard. They mistakenly believed that the proposed removal of some elk areas would reduce elk hunting opportunity. In a question and answer period during the Fish and Wildlife Commission meeting, it was explained that no elk hunting opportunity would be removed as a result of the proposed elimination of the six obsolete elk areas. The hunting season rules pertaining to the GMUs in those locations were not changing. The person testifying seemed relieved and satisfied with the explanation. Hunting opportunity is driven by population trends and wildlife conflict mitigation needs. Elk areas are management tools used to focus hunter effort in a specific location. Those particular elk areas haven't been used to mitigate wildlife conflict for a few years, so recent hunting opportunity associated with those elk areas was not being offered.

One individual indicated he saw several elk areas in the WAC that he thought were new but have actually been in the WAC for a number of years. When elk areas are not used on a particular year, the Department typically doesn't include them in the Big Game Regulations Pamphlet. This was likely the source of the confusion.

As a subset of the 24 comments received, 5 didn't have anything to do with the proposed WAC changes.

Direction and Rationale:

This is the third and final year of a three-year hunting season package (2015-2017); therefore, the proposed changes are minor. Substantial changes to hunting seasons and regulations are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

The Department will move forward with the recommendations to the Fish and Wildlife Commission.

WAC 232-28-342 Small game and other wildlife seasons and regulations.

Reasons for adopting these rules:

Department staff recommended changing the wildlife area name South L.T. Murray to Wenas. The wildlife area name Wenas will now be consistent with WDFW publications including website pages, the pamphlet, and brochures.

The wildlife area name South L.T. Murray changed to Wenas in 1997. The name change was due to the different funding sources. The southern portion of the L.T. Murray wildlife area is funded by federal Bonneville Power Administration (BPA) money where as L.T. Murray proper is funded by wildlife state money.

Differences between the proposed rule and the rule as adopted:

- None.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

About 86% of the 14 responses received supported the proposed rule change, but did not provide detailed comments.

Opposing and Other Comments:

Of the 14 comments received, none opposed the proposed rule change. There were 2 neutral responses.

Public Testimony March Commission Meeting: One person provided testimony on WAC 232-28-342 on the pheasant hunting season. The comment is in opposition to a date change made some time ago to the opener of eastern Washington pheasant season. The comment is being referred on to the comprehensive three-year season setting package.

One person provided testimony on bobcat harvest numbers (1935-2015), pelt prices, and statewide bobcat management. These points will be considered through the three-year season setting process.

Direction and Rationale:

The rationale for the South L. T. Murray Wildlife Area name to be changed to Wenas Wildlife Area is due to different funding sources. The proposed change to the small game WAC is for a name change. None of the comments received on this WAC require changes to the recommendation being made to the Fish and Wildlife Commission.

This is the third and final year of a three-year hunting season package (2015-2017); therefore, the proposed changes are minimal. Substantial changes to hunting seasons and regulations are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

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

Reasons for adopting these rules:

Department staff recommended retaining general season deer hunting opportunity for 2017. 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.

These recommendations provide for recreational deer hunting opportunity and protect deer from overharvest. They also help address deer agricultural damage problems and provide for deer population control when needed.

Differences between the proposed rule and the rule as adopted:

- Under Modern Firearm, the title of the “Hunters 65 and Over, Disabled, or Youth General Seasons” was changed to “Hunters 65 and Over, Disabled, and Youth General Seasons” to clarify the opportunity provided is for each of the three user groups.
- Under Modern Firearm, Eastern Washington White-tailed Deer, Hunters 65 and Over, Disabled, and Youth General Seasons, the line that includes 2017 Dates – Oct. 19-22, GMUs 101, 105, 108, 111, 113, 117, and 121 with the Legal Deer – Any white-tailed deer was removed.

Under Modern Firearm, Eastern Washington White-tailed Deer, a new line was added for Disabled and Youth General Seasons with 2017 Dates to include Oct. 14-15 and Oct. 21-22, and to include GMUs 101, 105, 108, 111, 113, 117, and 121 with the Legal Deer being Any white-tailed deer.

These two changes constitute a reduction in antlerless hunting opportunity for senior hunters while maintaining some opportunity for youth and disabled hunters. These changes reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Late Archery General Deer Seasons, Eastern Washington White-tailed Deer, Nov. 10-Dec. 15, GMU 101, the Legal Deer was changed from Any white-tailed deer to White-tailed, any buck.

Under Late Archery General Deer Seasons, Eastern Washington White-tailed Deer, GMUs 105, 108, 117, and 121, White-tailed any buck, the dates were changed from Nov. 22-Dec. 9 to Nov. 22-Dec. 15.

Under Late Archery General Deer Seasons, Eastern Washington White-tailed Deer, the line was removed that includes 2017 Dates Dec. 10-15, GMUs 105, 108, 117, and 121, Legal Deer – Any white-tailed deer.

These three changes constitute a reduction in antlerless hunting opportunity for late season archery while maintaining the season for white-tailed deer bucks. These changes reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

There were 52 written comments provided in total. Of those, 32 comments generally agreed with the proposed recommendations. The comments in support indicated that they trusted the Department to make appropriate hunting season recommendations and assumed that those recommendations would be informed by sound science whenever possible.

Opposing, Neutral, and Other Comments:

Of the 52 comments received, 10 generally did not agree with the recommendations and 10 selected a neutral stance in relation to the recommendations.

A couple of comments referenced last year's change to the late archery deer season in GMUs 204 and 209 and requested that the previous, longer season be reinstated. The Department has included that requested change in its recommendations.

A couple of comments requested a return to the 4 pt. antler restriction for white-tailed deer that was in place for GMUs 117 and 121 in 2011-2014. If that discussion is going to be resurrected, it would have to take place during the next three-year hunting season public process.

Additional comments were emailed directly to the Commission requesting more restrictive antlerless opportunity be offered for white-tailed deer in the Northeast due to the severity of the past winter. Staff considered those recommendations and working with stakeholders and county commissioners, settled on some additional changes that are included in the recommended adjustments.

Most of the comments lobbied for more opportunity for their particular stakeholder group in the specific areas where they hunt. They also suggested major restructuring of deer seasons to benefit their stakeholder group. A couple of comments called for even more restrictive antlerless opportunity, shorter seasons, and going from general season to special permit only for mule deer. Substantial changes to hunting seasons are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process for the next 2018-2020 hunting season public meetings. Deer are a finite resource and there are only so many days on the calendar in the fall to provide hunting opportunity. The Department does its best to allocate hunting opportunity to all of the various stakeholders without having a negative impact on the deer populations. That is the intention of the Department's proposed hunting season recommendations.

As a subset of the above, there were 7 of the 52 comments that were completely unrelated to the proposed recommendations made in this WAC. Of those 7 comments, 3 generally disagreed with the recommendation, 3 were neutral, and 1 generally agreed with recommendation.

No public testimony was received on this rule proposal at the March Fish and Wildlife Commission meeting.

Direction and Rationale:

This is the third and final year of a three-year hunting season package (2015-2017); therefore, the proposed changes are minor. Substantial changes to hunting seasons and regulations are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

The Department will move forward with the recommendations to the Fish and Wildlife Commission.

WAC 232-28-359 2017 Deer special permits.

Reasons for adopting these rules:

Department staff recommended retaining special permit deer hunting opportunity for 2017. 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.

These recommendations provide for recreational deer hunting opportunity and protect deer from overharvest. They also help address deer agricultural damage problems and provide for deer population control when needed.

Differences between the proposed rule and the rule as adopted:

- Under Quality, Modern Firearm, the permit numbers were changed for the following hunts:
 - Manson, the permit number was changed from 10 to 7;
 - Chiwawa, the permit number was changed from 27 to 19;
 - Slide Ridge, the permit number was changed from 10 to 7;
 - Entiat, the permit number was changed from 25 to 18;
 - Swakane, the permit number was changed from 15 to 11;
 - Mission, the permit number was changed from 10 to 7.These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Quality, Modern Firearm, the permit numbers were changed for the following hunts:
 - Quilomene, the permit number was changed from 14 to 13;
 - Teanaway, the permit number was changed from 20 to 21.These permit changes reflect adjustments resulting from the special permit allocation formula.

- Under Quality, Archery, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 10 to 7;
 - Slide Ridge, the permit number was changed from 3 to 2;
 - Entiat, the permit number was changed from 50 to 35.These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Quality, Archery, the permit numbers were changed for the following hunts:
 - Desert, Sept. 1-Oct. 7, the permit number was changed from 15 to 12;
 - Desert, Nov. 25-Dec. 12, the end date was changed to Dec. 10 and the permit number was changed from 14 to 12;
 - Naneum, the permit number was changed from 7 to 8;
 - Teanaway, the permit number was changed from 8 to 10.These permit changes reflect adjustments resulting from the special permit allocation formula and also prevents an overlap with a modern firearm special permit hunt.

- Under Quality, Muzzleloader, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 3 to 2;
 - Mission, the permit number was changed from 15 to 11.These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Quality, Muzzleloader, the permit numbers were changed for the following hunts:
 - Teanaway, the permit number was changed from 2 to 3;
 - Quilomene, the permit number was changed from 2 to 1.

These permit changes reflect adjustments resulting from the special permit allocation formula.

- Under Bucks, Archery, the permit numbers were changed for the following hunts:

- Ritzville, the permit number was changed from 10 to 21;
- Alkali, the permit number was changed from 3 to 2.

These permit changes reflect adjustments resulting from the special permit allocation formula.

- Under Antlerless, Archery, the Entiat hunt was deleted. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Antlerless, Archery, the Swakane hunt was deleted. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under 2nd Deer, Modern, the Mission hunt was deleted. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under 2nd Deer, Modern, Desert hunt, the dates were changed from Dec. 9-25 to Dec. 11-25. This change avoids an overlap with an archery special permit hunt.
- Under 2nd Deer, Muzzleloader, the Chiwawa hunt, the Swakane hunt, and the Mission hunt were deleted. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Youth, Modern, the second Couse hunt, Oct. 14-24, GMU 181, the Special Restriction was changed from Antlerless to Any Deer. This change corrects an error in the initial filing and differentiates between the first and second Couse hunts.
- Under, Youth, Modern:
 - Chiwawa, the permit number was changed from 10 to 5;
 - Entiat, the permit number was changed from 10 to 5;
 - Swakane, the permit number was changed from 5 to 3;
 - Mission, the permit number was changed from 15 to 8.These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Youth, Muzzleloader, Mission, the number of permits were changed from 5 to 3. These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Senior 65+, Modern, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 10 to 5;
 - Entiat, the permit number was changed from 10 to 5;
 - Swakane, the permit number was changed from 10 to 5;
 - Mission, the permit number was changed from 10 to 5.These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.
- Under Hunters with Disabilities, Modern, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 5 to 3;
 - Entiat, the permit number was changed from 5 to 3;
 - Mission, the permit number was changed from 5 to 3.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

- Under Hunters with Disabilities, Muzzleloader, the permit numbers were changed for the following hunts:
 - Chiwawa, the permit number was changed from 5 to 3;
 - Entiat, the permit number was changed from 5 to 3;
 - Mission, the permit number was changed from 5 to 3.

These permit reductions reflect a need to reduce harvest in response to the severity of the 2016-2017 winter.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

There were 40 written comments submitted regarding recommended changes to WAC 232-28-359 2017 Deer special permits. Of those, 29 were in general agreement with the proposed recommendations. The comments in support indicated that they trusted the Department to make appropriate hunting season recommendations and assumed that those recommendations would be informed by sound science whenever possible.

Opposing, Neutral, and Other Comments:

Of the 40 comments submitted there were 6 that were in general disagreement and 5 were neutral to the proposed recommendations.

Most of the comments lobbied for more opportunity for their particular stakeholder group in the specific areas where they hunt. They also suggested major restructuring of deer seasons to benefit their stakeholder group, including restructuring the special permit process and rules to mimic other states. Substantial changes to hunting seasons are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

Some comments called for longer special permit seasons. A couple of comments called for more restrictive antlerless opportunity, shorter seasons, and going from general season to special permit only for mule deer. Deer are a finite resource and there are only so many days on the calendar in the fall to provide hunting opportunity. The Department does its best to allocate hunting opportunity to all of the various stakeholders without having a negative impact on the deer populations. That is the intention of the Department's proposed hunting season recommendations.

There were a couple of comments related to the tools used to mitigate wildlife conflict which is not part of this WAC or the recommendations being made. Those rules are not being addressed in this process.

No public testimony was received on this rule proposal at the March Fish and Wildlife Commission meeting.

Direction and Rationale:

This is the third and final year of a three-year hunting season package (2015-2017); therefore, the proposed changes are minor. Substantial changes to hunting seasons and regulations are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

The Department will move forward with the recommendations to the Fish and Wildlife Commission.

WAC 232-28-360 2017 Elk special permits.

Reasons for adopting these rules:

Department staff recommended retaining elk special permit hunting opportunity for 2017. The purpose is 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.

These recommendations provide for recreational elk hunting opportunity and protect elk from overharvest. They also help address elk agricultural damage problems and provide for elk population control when needed.

Differences between the proposed rule and the rule as adopted:

- Under the Quality, Modern Firearm (EF and WF), the permit numbers were changed for the following hunts:
 - Wenaha West, the permit number was changed from 10 to 9;
 - Wenaha East, the permit number was changed from 11 to 10;
 - Lick Creek, the permit number was changed from 7 to 6;
 - Colockum, Oct. 23-Nov. 5, the permit number was changed from 23 to 22;
 - Observatory, the permit number was changed from 5 to 3;
 - Little Naches, the permit number was changed from 15 to 10;
 - Nooksack, the permit number was changed from 10 to 12;
 - Toutle, the permit number was changed from 49 to 46.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Under the Quality, Archery (EA and WA), the permit numbers were changed for the following hunts:
 - Blue Creek, the permit number was changed from 5 to 6;
 - Ten Ten, the permit number was changed from 3 to 4;
 - Tucannon, the permit number was changed from 7 to 6;
 - Wenaha East, the permit number was changed from 6 to 4;
 - Mountain View, the permit number was changed from 13 to 14;
 - Couse, the permit number was changed from 3 to 2;
 - Colockum, the permit number was changed from 17 to 13;
 - Teanaway, the permit number was changed from 6 to 4;
 - Peaches Ridge, the permit number was changed from 134 to 104;
 - Observatory, the permit number was changed from 134 to 104;
 - Goose Prairie, the permit number was changed from 93 to 109;
 - Bethel, the permit number was changed from 46 to 66;
 - Rimrock, the permit number was changed from 71 to 85;
 - Nooksack, the permit number was changed from 5 to 7;
 - Toutle, the permit number was changed from 37 to 34;
 - White River, the permit number was changed from 24 to 19.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Under Quality, Muzzleloader (EM and WM), the permit numbers were changed for the following hunts:
 - Dayton, the permit number was changed from 4 to 5;
 - Wenaha East, the permit number was changed from 3 to 4;
 - Colockum, the permit number was changed from 9 to 7;
 - Teanaway, the permit number was changed from 3 to 2;
 - Peaches Ridge, the permit number was changed from 34 to 33;
 - Observatory, the permit number was changed from 31 to 27.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.
- Under Quality, Muzzleloader (EM and WM), the permit numbers were changed for the following hunts:
 - Goose Prairie, the permit number was changed from 16 to 24;
 - Bethel, the permit number was changed from 14 to 20;
 - Rimrock, the permit number was changed from 9 to 10;
 - Cowiche, the permit number was changed from 9 to 5;
 - Nooksack, the permit number was changed from 5 to 7;
 - Toutle, the permit number was changed from 12 to 13.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.
- Under the Bulls, Modern Firearm (EF and WF), the permit numbers were changed for the following hunts:
 - Peaches Ridge, the permit number was changed from 118 to 110;
 - Observatory, the permit number was changed from 86 to 71;
 - Goose Prairie, the permit number was changed from 84 to 106;
 - Bethel, the permit number was changed from 64 to 76;
 - Rimrock, the permit number was changed from 83 to 77;
 - Cowiche, the permit number was changed from 13 to 12;
 - Olympic, the permit number was changed from 8 to 7;
 - White River, the permit number was changed from 34 to 35.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective, or they are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.
- Under Bulls, Western Archery (WA), Olympic, the permit number was changed from 6 to 5. This permit change reflects adjustments resulting from the special permit allocation formula.
- Under Bulls, Western Muzzleloader (WM), Skokomish, the permit number was changed from 2 to 1. This permit change reflects adjustments resulting from the special permit allocation formula.
- Under Antlerless, Modern Firearm (EF) the permit numbers were changed for the following hunts:
 - Dayton, the permit number was changed from 25 to 8;
 - Lick Creek, the permit number was changed from 5 to 3.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Antlerless, Modern Firearm (EF and WF) the permit numbers were changed for the following hunts:

- Colockum, the permit number was changed from 510 to 100;
- Taneum, the permit number was changed from 350 to 35;
- Manastash, the permit number was changed from 300 to 30;
- Umtanum, the permit number was changed from 250 to 25;
- Little Naches, the permit number was changed from 350 to 35;
- Nile, the permit number was changed from 100 to 10;
- Bumping the permit number was changed from 200 to 20;
- Bethel, the permit number was changed from 100 to 10;
- Rimrock, the permit number was changed from 110 to 15;
- Cowiche, the permit number was changed from 110 to 15;
- Winston, the permit number was changed from 40 to 25;
- Margaret, the permit number was changed from 40 to 25;
- Coweeman, the permit number was changed from 75 to 50;
- Toutle, the permit number was changed from 35 to 25;
- Lewis River, the permit number was changed from 60 to 40;
- Mudflow, the permit number was changed from 10 to 7.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Antlerless, Archery (EA and WA), the permit numbers were changed for the following hunts:

- Dayton, the permit number was changed from 15 to 5;
- Margaret, the permit number was changed from 30 to 20;
- Toutle, the permit number was changed from 50 to 30.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Antlerless, Muzzleloader (EM and WM) the permit numbers were changed for the following hunts:

- Dayton, the permit number was changed from 25 to 8;
- Lick Creek, the permit number was changed from 5 to 3;
- Colockum, the permit number was changed from 140 to 50;
- Taneum, the permit number was changed from 270 to 25;
- Manastash, the permit number was changed from 250 to 25;
- Umtanum, the permit number was changed from 215 to 20;
- Nile, the permit number was changed from 75 to 10;
- Bumping, the permit number was changed from 55 to 10;
- Bethel, the permit number was changed from 40 to 10;
- Cowiche, the permit number was changed from 80 to 10;
- Mudflow, the permit number was changed from 5 to 4;
- Winston, the permit number was changed from 20 to 15;
- Margaret, the permit number was changed from 20 to 10;
- Coweeman, the permit number was changed from 40 to 25;

- Toutle, the permit number was changed from 40 to 25;
- Lewis River, the permit number was changed from 20 to 15.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Youth, the permit numbers were changed for the following hunts:
 - Colockum, EF, the permit number was changed from 60 to 15;
 - Yakima North, EF, the permit number was changed from 145 to 15;
 - Yakima Central, EF, the permit number was changed from 50 to 5;
 - Yakima South, EF, the permit number was changed from 30 to 5;
 - Colockum, EM, the permit number was changed from 30 to 5;
 - Yakima North, EM, the permit number was changed from 50 to 10;
 - Yakima Central, EM, the permit number was changed from 30 to 10;
 - Yakima South, EM, the permit number was changed from 30 to 10;
 - Mudflow, WF, Oct. 28 – Nov. 3, the permit number was changed from 4 to 3;
 - Coweeman, WF, the permit number was changed from 25 to 15;
 - Toutle, WF, the permit number was changed from 40 to 25;
 - Lewis River, WF, the permit number was changed from 15 to 10.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under 65+ Senior, the permit numbers were changed for the following hunts:
 - Colockum, EF, the permit number was changed from 15 to 5;
 - Yakima North, EF, the permit number was changed from 40 to 10;
 - Yakima Central, EF, the permit number was changed from 10 to 5;
 - Yakima South, EF, the permit number was changed from 10 to 5;
 - Yakima North, EM, the permit number was changed from 25 to 5;
 - Yakima Central, EM, the permit number was changed from 15 to 5.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under Hunters with Disabilities, the permit numbers were changed for the following hunts:
 - Colockum, the permit number was changed from 15 to 5;
 - Yakima North, the permit number was changed from 40 to 10;
 - Yakima Central, the permit number was changed from 20 to 5;
 - Yakima South, the permit number was changed from 10 to 5;
 - Mudflow, Oct. 20 – 26, the permit number was changed from 4 to 3.

These permit changes reflect a need to reduce the harvest of elk populations that are at or below population objective.

- Under the Master Hunter category, Region 2, the dates were changed from Aug. 1, 2016 – Mar. 31, 2017 to Aug. 1, 2017 – Mar. 31, 2018. The change corrects the hunt dates so that they fall within the proper license year for the upcoming season.
- Under the Master Hunter category, Region 4 North, the dates were changed from July 1, 2016 – Mar. 31, 2017 to July 1, 2017 – Mar. 31, 2018. The change corrects the hunt dates so that they fall within the proper license year for the upcoming season.

- Under Master Hunter, the permit numbers were changed for the following hunt: Region 4 North, the number of permits was changed from 10 to 12. This permit change reflects permit levels agreed upon with stakeholders and tribes.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

Of the 48 written comments submitted, 33 were generally in agreement with the proposed recommendations to WAC 232-28-360 2017 Elk special permits. The comments in support indicated that they trusted the Department to make appropriate hunting season recommendations and assumed that those recommendations would be informed by sound science whenever possible.

Opposing, Neutral, and Other Comments:

Of the 48 comments submitted, 9 were generally not in agreement with the proposed changes and 6 took a neutral stance on the recommendations. Of the 48 comments, 4 were not pertinent to the rule in question.

Most of the comments lobbied for more opportunity for their particular stakeholder group in the specific areas where they hunt. Some comments called for longer special permit seasons. Elk are a finite resource and there are only so many days on the calendar in the fall to provide hunting opportunity. The Department does its best to allocate hunting opportunity to all of the various stakeholders without having a negative impact on the elk populations. That is the intention of the Department's proposed hunting season recommendations.

Some suggested major restructuring of elk seasons to benefit their stakeholder group. One public testimony at the March Fish and Wildlife Commission meeting requested elk hunters be allowed to apply for elk special permits on both the east side and west side of the state. In a question and answer period during the Fish and Wildlife Commission meeting, the history of the required east side and west side designations and the allocation between user groups that were established in the early 1980s was explained. It was also explained that during the last 3-year package season setting process, this topic was discussed and ultimately, hunters were not in favor of the change. The primary reasons for that revelation was the potential to exacerbate crowding during west side elk seasons and the potential to negatively influence the odds of drawing a special permit for the highly sought after bull special permits on the east side. The member of the public understood the explanations but didn't seem persuaded by them.

Additional comments suggested restructuring the special permit process and rules to mimic other states. During the public testimony at the March meeting, one individual suggested the special permit process and subsequent notification of the results be shifted to a much earlier time period to precede when private timber companies sell their access permits. Staff at hand explained to the individual that the special permit process has been moved as early as it possibly can and still incorporate annual monitoring data that is used to set deer and elk special permit numbers. Moving the process any earlier isn't a practical option. Having the process earlier than the sale of private access permits could also present a new problem of acquiring a special permit for hunting and not being able to acquire an access permit to private timber land for that hunt. The Department will continue to explore new and different approaches to gaining more public hunting access to private lands.

A couple of comments suggested we change the Commission-approved special permit allocation process. Substantial changes to hunting seasons are handled on a three-year cycle and require a comprehensive public process.

Some comments were also submitted asking for more elk general season opportunity which is not part of this WAC or the recommendations being made. That rule is not being addressed in this process. Some concerns were also expressed about access to private, industrial timber land but that topic is not part of

this process. There were also comments suggesting the Department make changes that are outside the purview of a state wildlife agency.

Direction and Rationale:

This is the third and final year of a three-year hunting season package (2015-2017); therefore, the proposed changes are minor. Substantial changes to hunting seasons and regulations are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

The Department will move forward with the recommendations to the Fish and Wildlife Commission.

WAC 232-28-436 2016-2017 Migratory waterfowl seasons and regulations.

Reasons for adopting these rules:

Department staff recommended amending WAC 232-28-436, 2016-2017 Migratory waterfowl seasons and regulations, to specify legal season dates, bag limits, and open areas to hunt waterfowl, coot, snipe, band-tailed pigeon, and mourning dove for the 2017-2018 hunting season. In this proposal goose bag limits are changed from a bag limit of 4 geese (not including brant) to allow harvest of 4 Canada geese, 10 white-fronted geese, and 6 white geese statewide during specified season dates. Dusky Canada Goose remains closed to harvest. The proposal opens Whatcom and Clallam Counties to limited brant harvest dates.

Migratory game bird seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway and the U.S. Fish and Wildlife Service, considering population status and other biological parameters. The rule establishes migratory game bird seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the migratory game bird resources of Washington.

Differences between the proposed rule and the rule as adopted:

- Under Goose Management Area 2, Regular Season, the season dates and stipulations were changed to read as follows:

Regular Season

Open in all areas except Ridgefield NWR from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7-days per week during Oct. 14-29, 2017; Saturdays, Sundays, and Wednesdays only, Nov. 25, 2017 - Jan. 14, 2018; and Feb. 10 - Mar. 10, 2018. During Feb. 10 - Mar. 10, 2018, U.S Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2. Ridgefield NWR open from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, Tuesdays, Thursdays, and Saturdays only, Oct. 14-21, 2017 and Nov. 25, 2017 - Jan. 13, 2018.

This changes the first 9-day window of the season to 16-days, October 14 – 29, and allows goose hunting 7-days per week during this period. In a second period, from November 25 – January 14, hunting is allowed on Saturdays, Sundays, and Wednesdays only, except on Ridgefield NWR which is allowed official hunt days on Tuesdays, Thursdays, and Saturdays only. The final period, from February 10 – March 10 was modified to take advantage of the Saturday, March 10 date, which is the final allowable hunting day under the Migratory Bird Treaty Act. This results in a net increase of 9 hunting allowable hunting days, and aligns hunting period dates closely with Oregon’s NW Permit Zone to reduce confusion to hunters hunting both areas. These changes maximize harvest opportunity during a period of time when the presence of Dusky Canada

Goose, is minimal (prior to October 30) by allowing a 16-consecutive day opening hunting period, and maximizes the final period to address concerns related to agricultural depredation.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

There were 111 comments submitted pertaining to the proposed changes to WAC 232-28-436. Of those, 64 were in support of the proposed changes.

Opposing and Other Comments:

Twelve comments were received requesting even further increases in snow goose harvest, including consideration of the late season (February – March) opportunity. Twelve comments were related to making adjustments to the season structure and length within the former Goose Management Area 2B, with an additional 3 comments requesting utilizing all 107 days in the Goose Management Area 2. During the public testimony, 9 individuals provided similar comments. Two comments were requesting opening swan harvest in NW Washington. Two comments were requesting consideration of electronic decoys. Two comments were requesting elimination of the snow goose harvest card. Finally, several individuals commented on the white-fronted goose bag limit seeming unrealistic and counterintuitive in comparison to the number of snow geese seen within the state during the waterfowl season dates.

Direction and Rationale:

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 WAC 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 2017-18 federal frameworks, including increased snow goose bag limits statewide, and the decoupling of the three goose groups (cackling/Canada, white-fronted, and white geese) in order to address future agricultural depredation issues and conservation concerns independently. The use of mandatory harvest reporting cards allows managers to keep track of total harvest for certain populations that are regionally explicit and/or require more active management actions to address these issues and concerns. Other suggestions will be evaluated in developing comments on 2018-19 federal regulations, which falls in line with the 3-year hunting season setting process.

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. A Memorandum of Understanding related to Dusky Canada Goose conservation requires us to monitor incidental harvest of this population which is closed to hunting due to current population counts. Adjustments to season structure, number of days, hunting hours, bag limits, and public land closures during the late season hunt have added a level of complexity and confusion for the typical hunter attempting to take advantage of this opportunity. Strategies to balance these concerns with appropriate harvest pressure are currently being evaluated by the new Waterfowl Section Manager through public meeting input and consultation with other conservation partners in an attempt to stabilize the regulations within this region.

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

Reasons for adopting these rules:

WDFW staff recommended 1) temporarily eliminating the bighorn sheep ram permit for the Vulcan Mountain herd; 2) reducing the number of bighorn ram permits for the Lincoln Cliffs herd from 2 to 1; and 3) adjusting the beginning date of the late bighorn sheep ewe season at Cleman Mountain.

The Vulcan Mountain bighorn sheep herd may be increasing slowly but remains small, and there are few mature rams in the herd at this time. WDFW co-manages this herd with the Colville Confederated Tribes, who have similarly instituted a temporary moratorium on harvest in this herd. WDFW is attempting to bolster this herd via translocations, and we hope to be able to offer a ram permit in future, in cooperation with our Tribal partners, but for now, ram harvest is not advisable.

At the March Commission Meeting and in the CR-102 filing, the Department was recommending increasing ewe permits in the Cleman Mountain herd by adding a second season. Since that time, the Department has determined that the over-winter mortality in this herd is sufficient to reach management objectives. Therefore, the Department is withdrawing its initial recommendation for increased opportunity in the Cleman Mountain herd.

Differences between the proposed rule and the rule as adopted:

- The “Cleman Mountain B” late ram hunt and the “Cleman Mountain C” early ewe hunt were removed. There has been sufficient over-winter mortality in the Cleman Mountain bighorn sheep herd that these additional removals are no longer needed to move the herd toward its desired abundance.
- The number of bighorn sheep ram permits for the Lincoln Cliffs herd was changed from 2 to 1. This is advisable because although a recent survey documented many rams, fewer than hoped for were of the old, mature type that we wish to recruit into the population.
- Under the description of Sheep Unit 18 Chelan Butte, the spelling of “Antoine Creek” was corrected.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

Twenty-seven written comments were received from the public. Of these, 21 generally agreed and 6 generally disagreed with the Department’s recommendations.

A few respondents supported providing opportunity to harvest ewes when populations can support it. One respondent specifically supported suspending the single ram permit for the Vulcan Mountain herd.

Opposing and Other Comments:

A number of respondents wondered about the wisdom of reducing herd size via ewe hunts, preferring instead translocation from over-abundant herds.

There was no public testimony at the March Fish and Wildlife Commission meeting pertaining to this rule proposal.

Direction and Rationale:

- 1) As in the recommendation, temporarily withdraw the 1 ram permit WDFW has offered for the small Vulcan Mountain herd, until this herd increases somewhat.

- 2) Reduce the number of bighorn sheep ram permits for the Lincoln Cliffs herd to increase the number of mature males in the population.
- 3) Make calendar date adjustments to the late bighorn sheep ewe season at Cleman Mountain.

At the March Commission Meeting, the Department was recommending increasing ewe permits in the Cleman Mountain herd by adding a second season. Since that time, the Department has determined that the over-winter mortality in this herd is sufficient to reach management objectives. Therefore, the Department is withdrawing its initial recommendation for increased opportunity in the Cleman Mountain herd.

WAC 232-28-624 Deer area descriptions.

Reasons for adopting these rules:

Department staff recommended changes to the deer area descriptions rule to create a new deer area in Klickitat County. The proposed new deer area will expand deer hunting opportunity on newly acquired wildlife area land.

Deer areas allow the Fish and Wildlife Commission to adopt hunting seasons that can be conducted at a smaller scale than the game management unit (GMU). Setting seasons at this scale allows for more strategic wildlife management, expanding hunting opportunity using hunting as a tool to control deer populations and mitigating wildlife conflict.

Differences between the proposed rule and the rule as adopted:

- None.

Comments received during the official public comment period and as testimony received at the public hearing:

Supporting Comments:

There were 24 written comments submitted for this WAC proposal. Twenty-two (22) comments generally agreed with the proposal. Only 2 of these individuals expanded on their input and both stated that they supported any changes that increased opportunities for hunting.

Opposing, Neutral, and Other Comments:

There were no opposing comments submitted. There were 2 comments submitted that took a neutral stance on the proposed recommendations.

No public testimony was made at the March Fish and Wildlife Commission meeting pertaining to this rule proposal.

Direction and Rationale:

This is the third and final year of a three-year hunting season package (2015-2017); therefore, the proposed changes are minor. Substantial changes to hunting seasons and regulations are handled on a three-year cycle and require a comprehensive public process. We recommend hunters engage in that process in the 2018-2020 hunting season public meetings.

The Department will move forward with the recommendations to the Fish and Wildlife Commission.