

Concise Explanatory Statement

Rules amended as part of this rulemaking:

- WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.
- WAC 220-410-040 Game management units (GMUs) boundary descriptions-Region four.
 - Withdrawn under WSR 18-05-062
- WAC 220-410-050 Game management units (GMUs) boundary descriptions-Region five.
- WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.
- WAC 220-412-080 Special hunting season permits.
- WAC 220-412-100 Landowner hunting permits.
- WAC 220-413-030 Importation and retention of dead nonresident wildlife.
- WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles.
- WAC 220-413-100 Mandatory report of hunting activity.
- WAC 220-413-180 Special closures and firearm restriction areas.
- WAC 220-414-060 Muzzleloading firearms.
- WAC 220-414-080 Hunting—Hunter orange clothing requirements.
- WAC 220-415-010 Deer area descriptions.
- WAC 220-415-020 2015-2017 Deer general seasons and definitions.
- WAC 220-415-030 2017 Deer special permits.
- WAC 220-415-040 Elk area descriptions.
- WAC 220-415-050 2015-2017 Elk general seasons and definitions.
- WAC 220-415-060 2017 Elk special permits.
- WAC 220-415-070 2017 Moose seasons, permit quotas, and areas.
- WAC 220-415-080 2018 Spring black bear seasons and regulations.
- WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations.
- WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.
- WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas.
- WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas.
- WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.
- WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations.
- WAC 220-440-030 Public safety cougar removal.
 - Withdrawn under WSR 18-06-079

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

Reasons for adopting these rules:

The purpose of the proposal is to simplify the sealing requirements for bobcat and cougar pelts by aligning the date for sealing bobcat with the last date of trapper reporting and by requiring cougar pelt sealing to occur within 72 hours of harvest. The proposed changes align the dates for pelt sealing each species, regardless of method or reporting of harvest.

The proposed amendments will make the sealing requirements consistent for each species and thereby easily understood by user groups. The proposed changes will also make managing cougar hunt unit closures more efficient and timely.

Differences between the proposed rule and the rule as adopted:

- Change: Section (3) strike the proposed language “and have the raw pelt sealed”
- Change: Section (3) strike the proposed language “the following information must be provided:” and replace with original language “and provide”
- Change: Section (3) lowercase “the” now that it doesn’t start a new sentence.
Rationale: Opportunistic backcountry hunters may have trouble meeting the 72-hour deadline for pelt sealing. Therefore, propose to return to original language.
- Change: Section (3) strike proposed language “taken with the use of dogs, under an authorized permit per WAC 220-440-030,”
- Change: Section (3) strike proposed language “72 hours” and reinstate original language “five days.”
Rationale: By striking the proposed 72-hour requirement for pelt sealing and reinstating the original “5 days” there is no need to differentiate those cougars taken by the use of dogs or those taken without the use of dogs.

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

There were 34 comments submitted for this WAC proposal. Seventeen (17) comments supported the proposal. One (1) commenter stated that it was nice to see consistency and another mentioned making it easier for WDFW employees and trappers. One (1) commenter mentioned they were observing more cougars in GMUs 101, 117, and 121. Another commenter made the suggestion for open hunting seasons on wolves in Eastern Washington.

Opposing, Neutral, and Other Comments:

There were 15 comments submitted in opposition to the WAC proposal. Thirteen (13) of the opposition comments submitted were directly focused on the proposed 72 hour cougar pelt sealing requirement. There were two (2) comments submitted with a neutral stance. One (1) comment pointed out confusion in the language regarding when the raw pelt should have the department identification seal.

Direction and Rationale:

The department will move forward with the proposed changes to bobcat and river otter pelt sealing and associated harvest report due date (April 20th) to provide consistency. The department will strike the proposed changes regarding cougar pelt sealing. The task to seal cougar pelts within 72 hours of harvest may be considered too onerous on backcountry opportunistic hunters.

WAC 220-410-050 Game management units (GMUs) boundary descriptions-Region five.**Reasons for adopting these rules:**

The purpose of the proposal is to clarify boundary language as it pertains to Game Management Units 522 Loo Wit and 560 Lewis River. The proposed changes clarify directional movements on established roads that make up the boundaries.

The proposed amendments will make the boundaries more discernable for hunters. The proposed changes will also make enforcement of hunting season rules more straightforward.

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 seven (7) comments in support of the proposed rule amendment.

Opposing, Neutral, and Other Comments:

There was one (1) comment opposed to the proposal. There were three (3) comments that were neutral to the proposed rule change.

Direction and Rationale:

The department will be moving forward with the recommended rule change as proposed.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

Reasons for adopting these rules:

This proposal replaces GMU 172 with GMU 169 for the Rocky Mountain bighorn sheep raffle permit holder.

The proposed amendments will redirect hunters from a small herd that has few mature rams to a herd that can more easily support removal of a large-sized ram.

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:

Five (5) comments generally supported the proposed changes.

Opposing, Neutral, and Other Comments:

Three (3) commenters were opposed to providing a Rocky Mountain bighorn sheep raffle until (if) there are corresponding draw tags for the general public in this area. One (1) commenter expressed concern about adding pressure on the Swakane bighorn sheep herd.

Direction and Rationale:

The department understands the concern that providing a raffle opportunity with no corresponding draw opportunity provides an advantage to those with the means to purchase multiple raffle tickets, and shares the value that the general public be provided hunting opportunity. Bighorns in the Blue Mountains and Hells Canyon area have not yet recovered from disease events to the point where they can support additional harvests. However, funding provided by the raffle helps support the three-state effort (including Idaho and Oregon) to recover these populations. That effort has helped turn the trajectory of the Asotin herd in a positive direction; the department has hopes it can soon begin issuing a regular draw permit for the Asotin herd. None of the changes recommended affect the Swakane bighorn sheep herd.

WAC 220-412-080 Special hunting season permits.

Reasons for adopting these rules:

This proposal revises wording in the “once in a lifetime” part of special hunting permits for moose, to reflect the proposed change in hunt categories from “any moose” to “antlered bull moose.” Any “point” accumulated under the “any moose” category will be transferred to the “antlered bull moose” category.

Additionally applicants for special hunting season permits will be required to either complete hunter education prior to submitting a permit application, or be exempt from the hunter education requirement.

The proposed amendments will maintain consistency with proposed changes in the WAC 220-415-070 and requirements elsewhere in WAC that applicants for special permits possess the necessary qualifications to hunt under that permit should they be drawn.

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:

Eight (8) comments supported the proposed changes. Four (4) comments specifically supported changing “any moose” permits to “antlered bull moose only” permits.

Opposing, Neutral, and Other Comments:

Eleven (11) comments objected to the requirement that youth hunters for mountain goat, moose, and/or bighorn sheep permits must have passed the hunter education requirement to submitting an application.

Two (2) comments expressed concerns with management of predators.

Direction and Rationale:

The department favors consistency in philosophy and application of rules. With one exception, current rules require applicants for a permit to possess the qualifications of that hunt, should they be selected. For example, applicants for an “over 65-year old” hunt must have reached their 65th birthday (they are precluded from ‘banking’ points when younger in anticipation of having a large number of points when they turn 65). The exception is the “Once in a Lifetime” opportunity, in which permit and license purchases are separate processes. Points can be accumulated under the “points option,” with no expectation of being used, for children too young to hunt. Requiring hunter education as in other hunts, applies the general rule (must be qualified to conduct the hunt applied for) fairly across all hunt types.

The department will move forward with eliminating the “any moose” hunt category, replacing it with “any antlered bull moose” category, transferring points accumulated by hunters in the eliminated category to the new one.

WAC 220-412-100 Landowner hunting permits.

Reasons for adopting these rules:

This proposal modifies hunt dates on properties enrolled in WDFW’s Landowner Hunting Permit (LHP) program for the 2018 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 that was authorized is 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:

There were 26 comments submitted for this WAC proposal. There were 11 comments that generally agreed with the proposals. Of the 11 supporting comments, the majority expanded on their input by stating that they generally supported changes that would provide more hunting opportunity.

Opposing, Neutral, and Other Comments:

There were ten (10) opposing comments submitted. Of these respondents, many expressed concerns about how the current program operates and the level of public access obtained through this program. There were five (5) comments submitted that took a neutral stance on the proposed recommendations.

Direction and Rationale:

The department is aware of the concerns with the current program and is requesting to move forward with the recommendations to the Fish and Wildlife Commission for the 2018-2019 hunting season. During 2018, the department will revise the current Landowner Hunting Permit program to meet department objectives, address private landowner concerns, and better meet the needs of the public.

WAC 220-413-030 Importation and retention of dead nonresident wildlife.

Reasons for adopting these rules:

The proposal will ban the importation and retention of specific parts of dead nonresident wildlife that could contain Chronic Wasting Disease (CWD) from Montana. Specific circumstances are fully set forth in WAC 220-413-030 to include the state of Montana.

Because Montana has identified chronic wasting disease in wild free ranging deer, the department seeks to mitigate the risk to public health and safety by adding the state of Montana to WAC 220-413-030.

Differences between the proposed rule and the rule as adopted:

- **Change:** In section (1)(c), add Mississippi to the list of states. The Fish and Wildlife Commission requires hunters to invoke additional processing of carcasses before deer, elk, or moose harvested in the listed states and provinces, can be brought home to Washington State.
Rationale: The state of Mississippi has confirmed their first positive case of Chronic Wasting Disease (CWD) in wild, free-ranging deer.

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

Supporting Comments:

There were 20 comments in support of the proposed rule amendment.

Opposing, Neutral, and Other Comments:

There were five (5) comments that were in opposition to the proposed rule change. There was one (1) comment that was neutral with regard to the proposed changes.

Direction and Rationale:

The existing rule helps reduce the risk that Chronic Wasting Disease (CWD) will be imported into Washington State by bringing in unprocessed deer, elk, or moose that were harvested in states that have detected CWD in wild free-ranging animals. The department will be moving forward with the recommendation to add the states of Montana and Mississippi to the list of states and provinces from which harvested deer, elk, and moose must undergo extensive processing before being imported to the state of Washington.

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles.

Reasons for adopting these rules:

The purpose of this proposal is to add unmanned aircraft to the rule that restricts the use of aircraft, boats, or other types of vehicles to hunt, spot, or harass wildlife.

Small unmanned aircraft have become a part of modern culture. Unmanned aircraft use is pervasive. In the same spirit of hunting ethics that inspired the Fish and Wildlife Commission to promulgate a rule that restricts the use of vehicles, aircraft, or boats to hunt or harass wildlife, the department feels that unmanned aircraft should be specifically called out and added to this rule.

Differences between the proposed rule and the rule as adopted:

- Change: In section 3, add to the last sentence “except as authorized by the department to aid in addressing wildlife conflict.”

Rationale: This exception allows the department to designate individuals that might use unmanned aircraft as a tool to address wildlife conflict issues.

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

Supporting Comments:

There were 82 comments in support of this proposed rule change.

Opposing, Neutral, and Other Comments:

There were 14 comments in opposition to this proposal. There were two (2) comments neutral to this proposed rule amendment.

Direction and Rationale:

The proposed change strengthens the rule that already restricts the use of aircraft for hunting purposes. This change would specifically spell out that the restriction also applies to unmanned aircraft. The department will be moving forward with the recommendation to add unmanned aircraft to this rule.

WAC 220-413-100 Mandatory report of hunting activity.

Reasons for adopting these rules:

The proposal will change the reporting deadline for brant, sea duck, and snow goose to March 20 following the season for which the harvest card was issued, and adds a harvest report card requirement for the SW Canada Goose special species authorization.

Two proposed amendments of WAC 220-416-060, require changing the February 15 deadline date. The proposal to move 12-days of the snow goose hunting season in Goose Management Area 1 (Skagit and Snohomish Counties) would have the goose season ending at the end of February (February 27, 2019). Additionally, the requirement of a mandatory harvest report for goose hunting in Goose Management Area 2-Coast and Inland (Clark, Cowlitz, Grays Harbor, Pacific, and Wahkiakum Counties) has to accommodate goose hunting seasons that can extend to March 10 in some years. To minimize confusion, all waterfowl-related reporting deadlines would be changed to March 20.

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 14 comments submitted for this WAC proposal. Seven (7) comments generally agreed with the proposal. Five (5) of these individuals expanded on their input and stated they were in support and expressed it was better to have a later deadline allowing more time to file the report.

Opposing, Neutral, and Other Comments:

There were two (2) opposing comments submitted for this WAC proposal. Only one (1) of these individuals expanded on their input asking, “Why we are requiring additional reporting for goose hunters?” There were five (5) comments submitted that took a neutral stance on the proposed recommendations. One of these individuals implied it was a financial increase being proposed; representing a misunderstanding of the proposal.

Direction and Rationale:

The moving of the mandatory reporting date to a later date to accommodate extended goose seasons should help reduce the number of late fees incurred. Goose hunters already purchase species authorizations for snow geese in Goose Management Area 1 and Southwest Canada Geese in Goose Management Area 2, therefore there is no additional fee to this proposal. Finally, the requirement of a report card for Goose Management Area 2 Coast and Inland is the only way to assess potential management alternatives for consideration in future seasons. The department will move forward with the recommendations to the Fish and Wildlife Commission.

WAC 220-413-180 Special closures and firearm restriction areas.

Reasons for adopting these rules:

The purpose of the proposal is to modify restrictions in the rule by:

- Adding mountain goat as an exception to the hunting restriction in GMU 522.
- Clarifying and adding exceptions to the firearm restriction that exists in a portion of GMU 652.
- Removing a firearm restriction area in Kitsap County that is no longer needed.

Reasons for supporting the rule include expanding mountain goat hunting opportunity; accommodating both firearm restriction needs and wildlife conflict mitigation; and adding flexibility to hunting seasons when restrictions are no longer necessary.

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 12 comments in support of this proposal.

Opposing, Neutral, and Other Comments:

There were no comments in opposition to this proposal. There were four (4) comments that were neutral with regard to the proposal.

Direction and Rationale:

The department will be moving forward with the recommendation to amend this rule.

WAC 220-414-060 Muzzleloading firearms.

Reasons for adopting these rules:

The purpose of the proposal is to eliminate the restriction that disallows the use of primers, designed for modern cartridges in the firearms ignition system, during muzzleloader hunting seasons. Such a rule change will allow more technologically advanced muzzleloaders to be used during muzzleloader seasons.

The Fish and Wildlife Commission requested that the department reach out to the hunting public and get their opinion on the use of modern cartridge primers on muzzleloading firearms during muzzleloader season. Deer and elk hunters were polled, and the majority of the respondents were in favor of allowing the more modern primers.

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 148 comments supporting the proposal.

Opposing, Neutral, and Other Comments:

There were 77 comments in opposition to the proposal. There were five (5) comments that were neutral to the proposed rule change.

Direction and Rationale:

The Fish and Wildlife Commission requested that the department reach out to the public and gauge the interest in changing the muzzleloader rules to allow primers for modern, centerfire cartridges during muzzleloader season. Every subsequent survey received majority support to make the change. The department will be moving forward with the recommendation to allow the equipment change.

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

Reasons for adopting these rules:

This proposal adds turkey to the hunter orange rule and requires turkey hunters that are hunting during a modern deer or elk firearm season to wear fluorescent orange.

This proposal is meant to increase safety. Turkey seasons in the past did not overlap with modern deer or elk firearm seasons. New proposals to control growing turkey populations make it necessary to overlap those seasons. This recommended rule adjustment provides consistency. All other species hunters are already required to wear hunter orange during modern deer or elk firearm season. This proposal adds turkey hunters to that list.

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:

Of the 37 people that commented on this issue, 14 supported this recommended change. Those that supported this recommendation were concerned with safety.

Opposing, Neutral, and Other Comments:

Of the 37 people that commented on this issue, 21 were opposed to this recommended change and two (2) were neutral. Those that opposed were concerned about reduced harvest success given the turkey's keen eyesight and ability to see color. Those taking a neutral stance did not supply any comments.

Direction and Rationale:

We understand the concerns that those opposing the recommendation have conveyed. This change will make it more difficult to harvest turkeys during overlap with firearm seasons. The department will move forward with the recommended change to add turkey to the hunter orange rule for safety purposes. We realize that this will likely reduce harvest success in that period, but the department is choosing to prioritize hunter safety over harvest success.

WAC 220-415-010 Deer area descriptions.

Reasons for adopting these rules:

The purpose of the proposal is to eliminate the three Deer Areas surrounding Spokane and the Colfax Deer Area that are either ineffective or no longer needed and add the North Issaquah Deer Area in King and Snohomish Counties to help mitigate deer conflict issues. Deer Areas allow the department to focus deer hunting pressure on a smaller scale than the Game Management Unit. Deer Areas help expand hunting opportunity that would normally not be available. Deer Areas also help accommodate wildlife conflict mitigation using hunting as a tool.

The proposed amendments will allow the department to use hunting as a management tool and expands deer hunting opportunity.

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 13 comments in support of the proposed rule amendments.

Opposing, Neutral, and Other Comments:

There were three (3) comments in opposition to this proposal. There were five (5) comments that were neutral with regard to the proposed rule amendments.

Direction and Rationale:

The department will be moving forward with the recommendation to amend this rule.

WAC 220-415-020 2015-2017 Deer general seasons and definitions.

Reasons for adopting these rules:

The purpose of this proposal is to retain general season deer hunting opportunity for 2018-2020. 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.

This proposal provides for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable general deer hunting season opportunities for 2018-2020. In addition, the proposal allows for the use of hunting as a management tool, helps address deer agricultural damage problems, and provides for deer population control when needed.

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 38 comments in support of the proposal. There was a wide variety of supporting comments with no common theme.

Opposing, Neutral, and Other Comments:

There were 61 comments in opposition to the proposal. One common theme seemed to be a misunderstanding by archers that many of the season start and stop dates are influenced by calendar date adjustments. The dates are further influenced by the other seasons occurring before and after an existing season. An example of this is the early archery deer season being influenced by the quality, modern firearm, deer special permits, and the early, general, muzzleloader, deer seasons. These calendar adjustments may be perceived as days that are being reduced for no reason. On those years when the 7-year cycle of the calendar adjustments appear to be adding days to the season, we don't receive those complaints and nobody seems to notice.

There were six (6) comments that were opposed to adding antlerless white-tailed deer opportunity in northeast Washington and were also in favor of a 4 pt. antler restriction. The rest of the opposition comments thought seasons were too long or too short; that the timing of seasons needed to be changed; that certain user groups were receiving preferential treatment; and that overall season structures were way too liberal or way too conservative; or they expressed concerns about the management of species other than deer. There were 26 comments that were neutral. Despite taking a neutral stance, all of the commenters expressed preferences for something other than what was proposed. There was no common theme and the comments were similar to those listed in the previous paragraph.

Direction and Rationale:

The main theme of the comments centered on the misconception that hunting season lengths were being reduced for no reason. Those criticisms typically spring from a misunderstanding of the calendar date adjustments that influence the seasons' timing and length, and how tightly scheduled all of the deer and elk seasons are. The remainder of the comments are similar to the type routinely received by the department as we go through each rule-making process. Field staff are making hunting season recommendations they feel will maximize hunting opportunity without having a negative impact on the deer populations. The department will move forward with the recommendations, which include the recommended adjustments, to the Fish and Wildlife Commission.

WAC 220-415-030 2017 Deer special permits.

Reasons for adopting these rules:

The purpose of this proposal is to retain special permit deer hunting opportunity for 2018. 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.

This proposal provides for recreational deer hunting opportunity and protects deer from overharvest. The proposal would also maintain sustainable deer special permit hunting season opportunities for 2018. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

Differences between the proposed rule and the rule as adopted:

- Change: Under the Quality category, Modern Firearm, change the permit numbers for the following hunts:
 - Chiwawa, change the number of permits from 19 to 20;
 - Slide Ridge, change the number of permits from 7 to 8;
 - Desert, Oct. 20-28, change the number of permits from 14 to 18;
 - Quilomene, change the number of permits from 13 to 17;
 - Teanaway, change the number of permits from 21 to 24;
 - Alkali, change the number of permits from 4 to 8.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula.

- Change: Under the Quality category, Archery, change the permit numbers for the following hunts:
 - Chiwawa, change the number of permits from 7 to 8;
 - Desert, Sept. 1-Oct. 5, change the number of permits from 12 to 10;
 - Desert, Nov. 24-Dec. 9, change the number of permits from 12 to 10;
 - Naneum, change the number of permits from 8 to 7;
 - Quilomene, change the number of permits from 6 to 9.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula.

- Change: Under the Quality category, Muzzleloader, change the permit numbers for the following hunts:
 - Teanaway, change the number of permits from 3 to 5;
 - Quilomene, change the number of permits from 1 to 2.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula.

- Change: Under the Bucks category, Modern Firearm and Archery, change the permit numbers for the following hunts:
 - Ritzville, Modern, change the number of permits from 9 to 7;
 - Ritzville, Archery, change the number of permits from 21 to 22;
 - Alkali, Archery, change the number of permits from 2 to 3.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula.

- Change: Under the Youth category, Modern Firearm:
 - For the Simcoe hunt, change the Special Restriction from Antlerless to Any Deer.

Rationale: This change was an adjustment agreed upon with the stakeholders involved with this Wildlife Area. The change provides more opportunity for youth hunters drawing this permit.

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

Supporting Comments:

There were 29 comments in support of the proposals. There was no common theme to any of the supporting comments.

Opposing, Neutral, and Other Comments:

There were 49 comments in opposition to the proposals. No main theme emerged. There were a handful of comments opposed to issuing antlerless special permits for white-tailed deer in northeast Washington. There were some comments questioning the amount of antlerless mule deer opportunity in north central Washington. Additional opposition comments thought seasons were too long or too short; that the timing of seasons needed to be changed; that certain user groups were receiving preferential treatment; and that overall season structures were way too liberal or way too conservative; or they expressed concerns about the management of species other than deer.

Direction and Rationale:

There was no main theme to the comments. Some criticisms come from a misunderstanding of the calendar date adjustments that influence the seasons' timing and length, and how tightly scheduled all of the deer and elk seasons are. The remainder of the comments are similar to the type routinely received by the department as we go through each rule-making process. Field staff are making hunting season recommendations they feel will maximize hunting opportunity without having a negative impact on the deer populations. The department will move forward with the recommendations, which include the recommended adjustments, to the Fish and Wildlife Commission.

WAC 220-415-040 Elk area descriptions.

Reasons for adopting these rules:

The purpose of the proposal is to add new Elk Areas or adjust the boundaries of existing Elk Areas. Elk Areas allow the department to focus elk hunting pressure on a smaller scale than the Game Management Unit. Elk Areas help expand hunting opportunity that would normally not be available. Elk Areas also help accommodate wildlife conflict mitigation using hunting as a tool.

The proposed amendments allow the department to use hunting as a management tool and expands elk hunting opportunity.

Differences between the proposed rule and the rule as adopted:

- Change: Add new Elk Area No. 1082 George Creek.
Rationale: This Elk Area will help direct hunters to an area that is on a smaller scale than the Game Management Unit (GMU). This will help facilitate using hunting as a tool to help mitigate damage.
- Change: Remove the proposed new Elk Area No. 4542 South Issaquah.
Rationale: Further discussions with the Muckleshoot Indian Tribe are warranted before developing the final boundary language on this proposed Elk Area. If all parties' needs can be met, a new proposal will be brought before the Fish and Wildlife Commission at a later date.
- Change: In the Elk Area 6612 Forks description, exclude Bogachiel state park, and add further language that distinguishes that the upstream direction after the confluence of the Calawah and Bogachiel River is on the Bogachiel River.

Rationale: These changes will make the Elk Area boundary more discernable and will not include the state park where hunting is not allowed.

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

Supporting Comments:

There were ten (10) comments in support of this proposed rule change. One (1) comment pointed out that a new Elk Area was missing from the boundary descriptions. That has since been corrected through the recommended adjustments process.

Opposing, Neutral, and Other Comments:

There were four (4) comments in opposition to the proposed rule amendments. Two (2) of those comments actually pertained to the Elk Area boundaries. One (1) comment pointed out issues with one of the proposed Elk Areas and subsequently that Elk Area was removed from the proposal through the recommended adjustments process. There were six (6) comments that were neutral with regard to the proposed rule amendments.

Direction and Rationale:

The department will be moving forward with the proposed amendments to the rule including the changes that were made through the recommended adjustments process.

WAC 220-415-050 2015-2017 Elk general seasons and definitions.

Reasons for adopting these rules:

The purpose of this proposal is to retain general season elk hunting opportunity for 2018-2020. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when elk populations allow, and reduces the opportunity when declining elk numbers warrant a change.

The proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable general elk hunting season opportunities for 2018-2020. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

Differences between the proposed rule and the rule as adopted:

- Change: Under the Modern Firearm category, Eastern Washington, Master Hunters Only: 371, Elk Areas 3911 and 3912, category – change the year on the January dates to 2019, 2020, and 2021 respectively.
Rationale: This change corrects a typographical error.
- Change: Under the Modern Firearm category, Western Washington, first line in the table starting with GMU 460, replace GMU 666 with GMU 667.
Rationale: This change corrects a typographical error.
- Change: Under the Early Archery category, Eastern Washington, EA, after the 2nd line of the table starting with 162, and ending with Spike bull, add a new line that reads as the bold language listed below:

Hunt Area	Elk Tag Area	Game Management Unit	2018 Dates	2019 Dates	2020 Dates	Legal Elk
Early Archery General Elk Seasons						

Eastern Washington	EA	328, 329, 336, 340, 352, 356, 364	Sept. 15-20			Antlerless
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Rationale: This change is in response to comments received from archery hunters expressing concerns about the balance between conservation of the elk resource and the loss of opportunity. Additional analysis was conducted by staff to reach this proposed compromise. The dates for 2019 and 2020 are intentionally left blank. Checks of harvest and survey data will be done each year before a recommendation will be formulated for the subsequent year.

- Change: Under the Late Archery category, Eastern Washington, Elk Area 1010 and GMU 163, category – change the year on the January dates to 2019, 2020, and 2021 respectively.
Rationale: This change corrects a typographical error.
- Change: Under the Late Archery category, Eastern Washington, Master Hunters Only: 371, Elk Areas 3911 and 3912, category – change the year on the January dates to 2019, 2020, and 2021 respectively.
Rationale: This change corrects a typographical error.
- Change: Under the Late Archery category, Western Washington, after the 4th line, remove the hunt dates and restriction for GMUs 506, 520, and 530.
Rationale: Because the three GMUs have been moved or deleted from this line in the table, the dates and the legal elk are no longer necessary. These changes correct a mistake in the recommendation. The recommendation should have deleted the entire line in the table.
- Change: Under the Late Muzzleloader category, Eastern Washington, Master Hunters Only: 371, Elk Areas 3911 and 3912, category – change the year on the January dates to 2019, 2020, and 2021 respectively.
Rationale: This change corrects a typographical error.

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

Supporting Comments:

There were 32 comments in support of the proposal. There was no common theme to the support comments.

Opposing, Neutral, and Other Comments:

There were 162 comments in opposition to the proposal. There were two primary themes to the opposing comments.

One was the opposition to the removal of archery, antlerless opportunity in the 300 series GMUs. Concerns were expressed that no special permit antlerless, archery opportunity was being offered in place of the general season removal in those GMUs. Those special permit hunts were subsequently added to the special permit WAC via the recommended adjustments process.

The second theme was the misunderstanding that some archers thought opportunity was being removed for GMUs 506 and 530. For some unknown reason, archers commenting in opposition thought that archery, early season or late season or both were being removed from GMUs 506 and 530. However, the proposal does not recommend any changes to the early archery season in those two GMUs, and proposes adding opportunity in the late archery season by shifting GMUs 506 and 530 from the antlerless only legal animal, to the 3 pt. min. plus antlerless legal animal.

There were 13 comments that were neutral. Despite the neutral stance, the comments included the same complaints about removing the 300 series antlerless archery opportunity. There were also comments about season timing, length, and management of species other than elk.

Direction and Rationale:

The main theme of the comments centered on the proposed removal of archery, antlerless opportunity in the 300 series GMUs. Those criticisms were taken seriously and adjustments were made through the recommended adjustments process. The remainder of the comments are similar to the type routinely received by the department as we go through each rule-making process. Field staff are making hunting season recommendations they feel will maximize hunting opportunity without having a negative impact on the elk populations. The department will move forward with the recommendations, which include the recommended adjustments, to the Fish and Wildlife Commission.

WAC 220-415-060 2017 Elk special permits.

Reasons for adopting these rules:

The purpose of this proposal is to retain elk special permit hunting opportunity for 2018. 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.

This proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable elk special permit hunting opportunity for 2018. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

Differences between the proposed rule and the rule as adopted:

- Change: Under the Quality category, Modern Firearm (EF and WF), change the permit numbers for the following hunts:
 - Blue Creek, Oct. 22-Nov. 4, change the number of permits from 10 to 11;
 - Dayton, change the number of permits from 10 to 9;
 - Ten Ten, Oct. 22-Nov. 4, change the number of permits from 4 to 3;
 - Wenaha East, change the number of permits from 12 to 9;
 - Mountain View, change the number of permits from 19 to 16;
 - Couse, change the number of permits from 2 to 3;
 - Colockum, Oct. 22-Nov. 4, change the number of permits from 22 to 19;
 - Little Naches, change the number of permits from 10 to 5;
 - Goose Prairie, change the number of permits from 5 to 3;
 - Nooksack, change the permits from TBD to 12;
 - Toutle, Sept. 24-28 and Nov. 3-14, change the number of permits from 3 to 2;
 - Toutle, Nov. 3-14, change the number of permits from 46 to 45.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Quality category, Green River, add WA and WM to the Weapon/Tag column.
Rationale: This change represents the results of negotiations between the department, the watershed managers, and the Muckleshoot Tribe that took place after the notebook material deadline.

- Change: Under the Quality category, Archery (EA and WA) and Muzzleloader (EM), change the permit numbers for the following hunts:
 - Dayton, change the number of permits from 6 to 4;
 - Ten Ten, change the number of permits from 8 to 5;
 - Tucannon, change the number of permits from 12 to 6;
 - Wenaha East, change the number of permits from 5 to 4;
 - Mountain View, change the number of permits from 12 to 15;
 - Lick Creek, change the number of permits from 4 to 7;
 - Peola, change the number of permits from 1 to 2;
 - Colockum, change the number of permits from 13 to 12;
 - Teanaway, change the number of permits from 4 to 3;
 - Peaches Ridge, change the number of permits from 104 to 58;
 - Observatory, change the number of permits from 104 to 57;
 - Goose Prairie, change the number of permits from 109 to 53;
 - Bethel, change the number of permits from 66 to 32;
 - Rimrock, change the number of permits from 85 to 63;
 - Nooksack, change the permits from TBD to 7;
 - Toutle, change the number of permits from 34 to 33;
 - Dayton, EM, change the number of permits from 2 to 3.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Quality category, Muzzleloader (EM and WM), change the permit numbers for the following hunts:
 - Wenaha East, change the number of permits from 2 to 3;
 - Mountain View, change the number of permits from 9 to 5;
 - Colockum, change the number of permits from 7 to 5;
 - Peaches Ridge, change the number of permits from 33 to 17;
 - Observatory, change the number of permits from 27 to 13;
 - Goose Prairie, change the number of permits from 24 to 13;
 - Bethel, change the number of permits from 20 to 9;
 - Rimrock, change the number of permits from 10 to 9;
 - Cowiche, change the number of permits from 5 to 6;
 - Nooksack, change the permits from TBD to 7;
 - Toutle, change the number of permits from 13 to 18.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Bulls category, Modern Firearm (EF), change the permit numbers for the following hunts:
 - Peaches Ridge, change the number of permits from 110 to 61;
 - Observatory, change the number of permits from 71 to 35;
 - Goose Prairie, change the number of permits from 106 to 54;
 - Bethel, change the number of permits from 76 to 38.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under the Bulls category, Modern Firearm (EF, WF), Archery (WA), and Muzzleloader (WM); change the permit numbers for the following hunts:

- Rimrock, EF, change the number of permits from 77 to 65;
- Skagit River, WF, change the permits from TBD to 4;
- Skokomish, WF, change the number of permits from 3 to 2;
- White River, WF, change the number of permits from 35 to 37;
- Skagit River, WA, change the permits from TBD to 8;
- Olympic, WA, change the number of permits from 5 to 4;
- Skokomish, WA, change the number of permits from 5 to 2;
- Skagit River, WM, change the permits from TBD to 4.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.

- Change: Under Bulls, Upper Smith Creek, WA, Elk Area 5064, change the “Hunters” column from WA to Any.

Rationale: This change corrects a typographical error.

- Change: Under Antlerless, EF, change the Stevens hunt to a Douglas hunt and change the permits from 10 to 5, and add a Huckleberry hunt with 10 permits good for the October general season and the last half of December as indicated below.

Stevens Douglas	EF	Any	Oct. ((28–Nov. 5)) <u>27 - Nov. 4</u>	Antlerless	GMUs 108, 124	40 <u>5</u>
Huckleberry	EF	Any	<u>Oct. 27 - Nov. 4 and Dec. 16-31</u>	<u>Antlerless</u>	<u>GMU 121</u>	<u>10</u>

Rationale: This change is in response to local landowners indicating elk numbers have increased in the last couple of years and are starting to be problematic.

- Change: Under Antlerless, Mayview-Peola, Oct. 27-Nov. 4, change the number of permits from 35 to 20.

Rationale: This change is in response to local landowners indicating elk numbers have been down in this area the last couple of years.

- Change: Under the Antlerless category, Modern Firearm (EF), change the permit numbers for the following hunts:

- Colockum, EF, change the number of permits from 250 to 100;
- Teanaway, EF, change the number of permits from 40 to 30.

Rationale: These permit changes restore the modern firearm antlerless permits to the previous year’s level for these GMUs. This change better maintains consistency with other antlerless opportunities being proposed for this elk population.

- Change: Under the Antlerless category, remove the South Issaquah hunt.

Rationale: The newly proposed Elk Area 4542 is not moving forward in 2018 so this associated hunt is being pulled back.

- Change: Under the Antlerless category, Green River, add WA and WM to the Weapon/Tag column and change the number of permits from 4 to 8.

Rationale: This change represents the results of negotiations between the department, the watershed managers, and the Muckleshoot Tribe that took place after the notebook material deadline.

- Change: Under the Antlerless category, remove the Colockum hunt.

Rationale: This change is in response to a change being made in the General Season WAC for early, archery season that will allow 6 days of antlerless hunting opportunity in place of these special permits.

- Change: Under Antlerless, EM, change the Stevens hunt to a Douglas hunt and change the permits from 10 to 5, and add a Huckleberry hunt with 10 permits good for the October general season.

Stevens <u>Douglas</u>	EM	Any	Oct. (7-13) <u>6-12</u>	Antlerless	GMUs 108,124	40 <u>5</u>
<u>Huckleberry</u>	<u>EM</u>	<u>Any</u>	<u>Oct. 6-12</u>	<u>Antlerless</u>	<u>GMU 121</u>	<u>10</u>

Rationale: This change is in response to local landowners indicating elk numbers have increased in the last couple of years and are starting to be problematic.

- Change: Under the Antlerless category, Colockum, EM, change the number of permits from 100 back to 50.
Rationale: This change restores the permit level to status quo, which after further analysis by staff, was deemed adequate.
- Change: Under the Youth category, Skagit River, change the permits from TBD to 4.
Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.
- Change: Under the Youth category, Region 6, Modern Firearm (WF), change the boundary to read “Designated Areas in Region 6.”
Rationale: This boundary change corrects a typographical error.
- Change: Under the 65+ Senior category, remove the South Issaquah hunt.
Rationale: The newly proposed Elk Area 4542 is not moving forward in 2018 so this associated hunt is being pulled back.
- Change: Under the 65+ Senior category, Skagit River, change the permits from TBD to 4.
Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.
- Change: Under the 65+ Senior category, change the first Centralia Mine hunt from Jan. 6-7, 2019 to Jan. 5-6, 2019.
Rationale: This change corrects a typographical error.
- Change: Under the 65+ Senior category, change the second Centralia Mine hunt from Jan. 13-14, 2019 to Jan. 12-13, 2019.
Rationale: This change corrects a typographical error.
- Change: Under the Hunters with Disabilities category, remove the South Issaquah hunt.
Rationale: The newly proposed Elk Area 4542 is not moving forward in 2018 so this associated hunt is being pulled back.
- Change: Under the Hunters with Disabilities category, Skagit River, change the permits from TBD to 4.
Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes.
- Change: Under the Master Hunter category, Region 4 North, change the permits from TBD^{HC} to 18^{HC}.

Rationale: These permit changes are adjustments resulting from the special permit allocation formula, or are permit levels agreed upon with stakeholders and tribes, or are design to help mitigate agricultural damage.

- Change: Under Master Hunter category, remove the Pumice Plains Sept. 24-30 hunt.
Rationale: This change represents a revised agreement between the department and the Forest Service. The agreement provides for additional hunts that have been added in both early and late time periods for 2018, as well as providing for an expanded total area that can be hunted, both of which will increase the hunter satisfaction.
- Change: Under the Master Hunter category, Region 5, change the permits from 30^{HC} to 20^{HC}.
Rationale: Staff recommend retaining the status quo number of permits until further discussion with Master Hunter partners.
- Change: Under the Master Hunter category, Region 6, WF, WA, WM/2nd elk tag; change the July date to 2018 and change the March date to 2019.
Rationale: This change corrects a typographical error.

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

Supporting Comments:

There were 28 supporting comments, which included a couple of duplicates. There did not seem to be a common theme for the supportive comments. Support was expressed for both increasing and decreasing special permit opportunity depending upon the specific hunt. Although supportive, archery hunters wanted antlerless, special permit opportunity in the 300 series GMUs where general season antlerless opportunity was removed. The department heard those concerns and has subsequently proposed those special permit hunts as part of the recommended adjustments.

Opposing, Neutral, and Other Comments:

There were 51 comments, with a couple of duplicates, opposed to the proposal. Most of the opposition comments centered on what was being proposed for the 300 series GMUs. The number of antlerless special permits and the lack of archery, antlerless special permits in those GMUs was a cause for concern. As a result of those comments, the department has proposed some antlerless, archery special permits and also proposed holding the modern firearm and muzzleloader special permits at status quo. Those proposals were accomplished through the recommended adjustments process. The other opposition comments were varied and were more related to specific locations and hunts. Those concerns were about both decreasing and increasing permit levels and were specific to locations and user groups. Archers provided the bulk of the opposition comments.

There were 16 neutral comments submitted. Although commenters selected the neutral choice, all but one had a criticism of the special permit proposals. There wasn't a common theme to the criticisms and they included – the timing of the special permit process; the number of permits being offered to a specific user group; the number and types of categories being offered; and a perceived lack of fairness to specific user groups.

Direction and Rationale:

The main theme of the comments centered on the proposals in the 300 series GMUs. Those criticisms were taken seriously and adjustments were made through the recommended adjustments process. The remainder of the comments are similar to the type routinely received by the department as we go through each rule-making process. Field staff are making hunting season recommendations they feel will maximize hunting opportunity without having a negative impact on the elk populations. The department will move forward

with the recommendations, which include the recommended adjustments, to the Fish and Wildlife Commission.

WAC 220-415-070 2017 Moose seasons, permit quotas, and areas.

Reasons for adopting these rules:

The purpose of this proposal is to remove hunt category “any moose,” replacing it with “any antlered bull moose;” require successful moose hunters to submit an incisor tooth by mail to WDFW for ageing; add “or archery” to the list of permitted weaponry for moose hunting in the Parker Lake special hunt area; and changes in permit levels.

We expect the moose population in Northeastern Washington to stabilize or decline over the next few years. Being able to predict whether males (bulls) or females (cows) will be taken in any given hunt is important to managers. Almost all holders of “any moose” permits attempt to take bulls. Accumulated points held in the “any moose” category would be transferred to the new “any antlered bull moose” category; the definition of “antlered bull moose” would require the presence of “visible antlers.” Public support for this proposal was high.

Models currently under development by WDFW to understand moose population trajectory require knowing the age of harvested moose. WDFW currently requests successful hunters to extract a tooth and send it to WDFW in a supplied envelope. However, compliance with the currently voluntary request is variable, and response is likely biased. Incorporating this request in rule should increase compliance, increasing the accuracy and precision of our monitoring models.

In response to a hunter’s question from 2017, we realized that, unlike other ‘muzzleloader hunts’ offered for other species, we had not indicated that ‘archery’ – considered a lesser-capable weapon – could also be used in the muzzleloader season. WDFW received approval from the United States Air Force on this change.

Recent work has strongly suggested that moose have begun declining in abundance in most areas. We also received considerable support from the public for reducing “Youth only” hunts. Most of these specific changes reduce “antlerless moose” permits, particularly in WDFW District 2, where harvest rates have been relatively high. In response to suggestions from Enforcement, we would eliminate the Master Hunter moose permits, which have only been used a handful of times in the past decade, due to the difficulty of finding an appropriate situation. This would reduce expectation among Master Hunters for an opportunity, which, in reality, has rarely been realized.

Differences between the proposed rule and the rule as adopted:

- Change: For antlerless only permits in Mt. Spokane South B (Moose Area 1 within GMU 124), change “74” to “4.”
Rationale: The intent had been to delete “7” and replace it with “4.” Due to human error, the 4 was added but the “7” was not crossed out.

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

Supporting Comments:

Five (5) comments supported the proposed changes.

Opposing, Neutral, and Other Comments:

Thirteen (13) comments opposed the reduction in the number of youth permits. A number of commenters noted the typographical error in the number of permits proposed for Mount Spokane South B. Comments generally opposed the WAC without specifics. Two (2) comments oppose allowing any antlerless permits;

one (1) out of concern for effects of wolf predation. One (1) comment questioned why the department has recommended eliminating the master hunt permits for moose. Two (2) comments suggested eliminating the remaining youth moose hunts, reallocating them to senior (over 65) hunters. Commenter recommended reducing the number of permits in GMU 113 because fewer moose have been seen in recent years. Two (2) comments recommended limiting antlerless tags to “Once in a Lifetime” (as currently the case with “any” moose, and proposed with “antlered bull only” tags, one of which added that, along with this, the department should eliminate youth permits for moose). One (1) comment suggested reducing antlerless permits to help rebuild the herd that the commenter believes is well below carrying capacity. One (1) comment preferred transferring points from the antlerless moose category to the newly created “any bull moose” category, rather than from the “any” moose category. Ten (10) comments expressed concern about the effects of predators on moose.

Direction and Rationale:

During the public comment period for the 3-year package, there was considerable support for reallocating youth antlerless moose permits to the general population of hunters. The department proposes a considerable reduction in the total number of antlerless permits available in District 2 (from 40 in 2017, to 18 in 2018), and much of this reduction will come from the Youth Only antlerless permits. Youth only hunts remain available for other species.

Results from the ongoing research effort north of Spokane suggest that antlerless harvest levels have recently become excessive; thus, the department proposes a substantial reduction around Mt. Spokane. Indications are that moose remain abundant in some areas of District 1, and provide some hunting opportunity there in both antlered and antlerless categories. The department would want to go back to the public with any recommendations to change “antlerless” permits to “Once in a Lifetime” (this had not been proposed as part of the 3-year package). It remains possible, albeit very unlikely, that a hunter previously successful with an “antlerless moose” permit could draw a 2nd moose permit. The department believes ongoing research does not support the contention that the moose population is well below carrying capacity in Region 1. It is likely that, long-term, Region 1 will support fewer moose than it had during the past two decades, regardless of hunting level.

WAC 220-415-080 2018 Spring black bear seasons and regulations.

Reasons for adopting these rules:

The purpose of the proposed amendments is to align the rules with the appropriate season dates; require a bear identification test for hunters that will hunt within grizzly bear recovery areas as identified by the department; expand the biological samples that may be collected by the department; and include results for failure to report or comply with the conditions of the rule.

The proposed amendments will announce the appropriate season dates; assist in lessening the likelihood of incidental take of grizzly bear; bring awareness to hunters; create stewardship of resources managed by other government agencies; and provide the department with the ability to collect biological samples which further assist managing bear populations.

Differences between the proposed rule and the rule as adopted:

- Change: Update the title of the WAC to read, “2019-2020 Spring black bear special permits.”
Rationale: The proposed title change clearly identifies the spring opportunity as a special permit hunt. This change makes this rule consistent with rules identifying other special permits (e.g. deer special permits and elk special permits) and minimizes potential confusion.
- Change: Under “Licensed Required” update the first sentence to read as follows:

- A valid big game hunting license, which includes black bear as a species option, is required to apply for a spring black bear special permit.

Rationale: This change makes it clear that the opportunity is a special permit opportunity, which hunters must submit an application to be considered.

- Change: Under “Other Requirements,” add the word “annual” to clarify that the test must be taken each year.
 - Hunters that are selected to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the annual WDFW online bear identification test with a passing score (80% or higher) or carry proof that they have passed an equivalent test from another state.

Rationale: This change makes it clear that bear identification test is an annual requirement.

- Change: Under “Submitting Biological Samples and Bear Teeth”:
 - Strike “notification” and insert “harvest reporting”
 - Strike “conditions of this chapter” and insert “submission of biological samples”
 - Strike “an infraction” and insert “a misdemeanor”
 - Strike “RCW 77.15.160” and insert “RCW 77.15.280”

Rationale: The new language aligns the appropriate penalty to the failure to submit reports and/or biological samples per RCW.

- Change: Under Submitting Biological Samples and Bear Teeth: Strike, “provide reports or,” so the sentence reads as follows, “Failure to comply with the submission of biological samples is a misdemeanor pursuant to RCW 77.15.280.”

Rationale: RCW 77.15.280 only applies to the submission of biological samples. RCW 77.32.070 gives the department the authority to require a hunter report and is listed in the statutory authority.

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

Supporting Comments:

There were 77 (76 online and 1 letter) comments submitted for this WAC proposal. Eighteen (18) comments were in support of the proposed changes. Most individuals (13) stated “support,” “agree,” or provided no comment. Five (5) commenters expanded their input by suggesting expansion of spring bear opportunities into other areas and one (1) of these five (5) recommended extending the season and increasing tags available in District 1. One (1) commenter expanded their input by further suggesting a ban on black bear hunting in areas where grizzly bears are recovering.

Opposing, Neutral, and Other Comments:

There were 58 comments that were neutral (17) or opposed (41) the proposed rule. Many (13) of the neutral commenters agreed with the bear identification test but expressed interest in either opening a general spring bear season, expanding the spring bear opportunities into new areas, or changing the bag limit in eastern Washington.

Of the 41 that opposed the proposed changes, 18 requested expanding the areas for spring bear hunts, the season length, or the number of tags available. Eight (8) commenters requested that the Spring Bear Hunt permits be available over the counter. Ten (10) strictly opposed the bear identification test. Two (2) commenters were opposed to the reporting requirements and associated penalties. Three (3) others had general comments on management of the species.

Direction and Rationale:

The department will move forward with the recommendations to the Fish and Wildlife Commission. The department believes that providing outreach material, in the form of the bear identification study guide, and test that may be taken until passed, is an appropriate measure in conservation management of grizzly bears to minimize incidental take, bring awareness to hunters, and create stewardship of resources managed by other government agencies. The test will only be required of those planning to hunt in areas determined the department as having potential grizzly bear occurrences.

WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations.

Reasons for adopting these rules:

The purpose of the proposed amendments is to align the rules with the appropriate season dates; remove game management units that do not have resident bear populations; require a bear identification test for hunters that will hunt within grizzly bear recovery areas as identified by the department; expand the biological samples that may be collected by the department; and include results for failure to report or comply with the conditions of the rule.

The proposed amendments will announce the appropriate season dates; assist hunters by providing opportunities where they exist; assist in lessening the likelihood of incidental take of grizzly bear; bring awareness to hunters; create stewardship of resources managed by other government agencies; and provide the department with the ability to collect biological samples which further assist managing bear populations.

Differences between the proposed rule and the rule as adopted:

- Change: Strike (1)(c) as referenced in WAC 220-415-090.
Rationale: Subsection RCW 77.15.280 (1)(c) no longer exists.
- Change: Add the word “annual” to clarify that the test must be taken each year.
 - Hunters that are selected to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the annual WDFW online bear identification test with a passing score (80% or higher) or carry proof that they have passed an equivalent test from another state.Rationale: This change makes it clear that bear identification test is an annual requirement.
- Change: Under Submitting Biological Samples and Bear Teeth:
 - Strike “notification” and insert “harvest reporting”
 - Strike “Failure to abide by the conditions of permits is a misdemeanor pursuant to RCW 77.15.750.”
 - Strike “conditions of this chapter” and insert “submission of biological samples”
 - Strike “an infraction” and insert “a misdemeanor”
 - Strike “RCW 77.15.160” and insert “RCW 77.15.280”Rationale: The new language aligns the appropriate penalty to the failure to submit reports and/or biological samples per RCW.
- Change: Under Submitting Biological Samples and Bear Teeth: Strike, “provide reports or,” so the sentence reads as follows, “Failure to comply with the submission of biological samples is a misdemeanor pursuant to RCW 77.15.280.”
Rationale: RCW 77.15.280 only applies to the submission of biological samples. RCW 77.32.070 gives the department the authority to require a hunter report and is listed in the statutory authority.

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

Supporting Comments:

There were 49 comments submitted for this WAC proposal. Twenty-one (21) comments were in support of the proposed changes. Several commenters suggested changes to the bear season dates; ranging from earlier starts in Northeast Washington to extending the closing date to align with the close of the modern firearm elk season. One (1) comment stated a desire for separating the spring special permit bag limit from the annual bear bag limit.

Opposing, Neutral, and Other Comments:

There were seven (7) comments that stated neutral; four (4) suggested opening the season earlier, one (1) suggested increasing available tags, and one (1) suggested making the test part of the license. There were 21 comments opposing the proposed changes. Four (4) comments directly stated opposition to the bear identification test; stating “it is an additional hurdle for bear hunters,” “there should not be a test,” and “if someone can’t tell the difference they should be fined.” Other comments received from those that opposed the changes included: “a waste of time and resources... populations are stable or above goals...,” “should add more youth opportunities,” and requests to change the opening and closing dates for fall bear season. Two (2) comments received expressed opposition to an infraction being imposed for failure to report or submit biological samples. One (1) comment was received that questioned why only one (1) bear of the two (2) bear bag limit may come from eastern Washington. One (1) additional comment received expressed opposition to closing GMU 410 and GMU 422.

Direction and Rationale:

The department will move forward with the recommendations to the Fish and Wildlife Commission. The department believes that providing outreach material, in the form of the bear identification study guide, and test that may be taken until passed, is an appropriate measure in conservation management of grizzly bears to minimize incidental take, bring awareness to hunters, and create stewardship of resources managed by other government agencies. The test will only be required of those planning to hunt in areas determined by the department as having potential grizzly bear occurrences.

WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

Reasons for adopting these rules:

The purpose of the proposed amendments is to align the rules with the appropriate season dates; align the cougar season with the license year and thereby minimize potential confusion by hunters; and align the late cougar season start date with the closing date of the general deer and elk seasons for modern firearm and muzzleloader with the exception of a few Master Hunter antlerless elk seasons that continue into January.

The proposed amendments will announce the appropriate season dates; assist in minimizing disturbance to ungulates that are already stressed from winter and birthing; minimize confusion and burden on hunters to buy two licenses; allow hunters who are deer and elk hunting to take a cougar through December 15 without having to call the toll free line to determine if the area is open or not; and provide the department an earlier timeframe to manage the harvest guidelines; and attempt to minimize potential of exceeding the harvest guidelines.

Differences between the proposed rule and the rule as adopted:

- Change: Section (2), (2)(a), and (2)(b) strike the proposed season date changes and revert to original language in rule.

Rationale: The department has decided to allow cougar seasons to remain as they are currently. The department will consider additional scoping and review of cougar management strategies as well as including additional outreach regarding the current program.

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

Supporting Comments:

There were 118 comments (116 online and 2 letters) submitted for this WAC proposal. Fourteen (14) were in support of the proposed changes. Eight (8) commenters either did not expand on their support or only further indicated their support. Three (3) commenters suggested raising quotas. One (1) commenter suggested opening the cougar season on August 1. One (1) commenter stated the current rule was too confusing. One (1) commenter further suggested amending the regulations to include mandatory reporting within 24 hours so that during the late hunting season the department “shall” close the season once the maximum quota is reached versus “may” close the season.

Opposing, Neutral, and Other Comments:

There were 104 comments that were neutral (7) or opposed (97). Twenty-three (23) commenters were generally opposed with most stating preference to leave seasons as they are currently. Seventy-three (73) comments were received stating a preference for increasing quotas and extending seasons. Several of these 73 comments suggested allowing year-round hunting, night hunting, or creating one season. Two (2) commenters suggested more research and another suggested complete closure of hunting cougar. Five (5) commenters specifically mentioned allowing the use of hounds to hunt cougar.

Direction and Rationale:

The department will not move forward with the recommendation to the Fish and Wildlife Commission. The department will consider additional scoping and review of cougar management strategies as well as including additional outreach regarding the current program. The department will propose the cougar seasons and quotas remain as currently identified.

WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas.

Reasons for adopting these rules:

The purpose of the proposal is to initiate modest ewe (bighorn sheep female) harvests in two separate areas of the Lincoln Cliffs bighorn sheep populations. Additionally, increase harvest of both rams and ewes in the Chelan Butte population. Where bighorn sheep graze frequently on private, agricultural lands, public tolerance for them can be compromised. Because we have no current place to translocate these sheep, a ewe-only hunt is recommended.

The Chelan Butte bighorn sheep population has also grown, providing opportunity for hunters interested in taking rams (we propose a split season, early and late). Because this herd is situated close to small farms and rural residences, the risk of contact between bighorns and domestic sheep and goats is high. One action the department can take to manage this risk is to halt the slow down or halt the growth of the herd through increased provision of ewe permits.

Differences between the proposed rule and the rule as adopted:

- Change: Under Ram (male) bighorn sheep, Lincoln Cliffs A, change the number of permits from 1 to 2.

Rationale: December 2017 survey supports this increase in hunter opportunity per the Game Management Plan.

- Change: Add the following permits under Ewe (female) bighorn sheep hunts:
 - Cleman Mountain C, Nov. 1-18, Sheep Unit 7, Adult ewe only Any Legal Weapon, 8 (permits)
 - Cleman Mountain D (youth hunter), Nov. 1-18, Sheep Unit 7, Adult ewe only Any Legal Weapon, 2 (permits)

Rationale: A mid-winter survey indicated that the herd continues to grow, and remains larger than biologists view as prudent from a long-term perspective. A population that is larger than our objective increases the risk that bighorns will wander into areas where they may come into contact with domestic sheep, and possibly become infected with bacteria associated with fatal pneumonia. Adding additional ewe permits will dampen this undesired population growth. Because there is some demand for “youth only” permits, 2 of these 10 will be reserved for youth hunters.

- Change: Add legal descriptions of the hunt boundaries of the 2 new subunits of the Lincoln Cliffs bighorn sheep herd
 - Page 12, under Ewe (female) bighorn sheep, “Lincoln Cliffs” hunts (2):
 - Under the hunt name strike “B West” and insert “Whitestone Unit,” and insert “d” under the boundary description.
 - Under the hunt name strike “B East” and insert “Lincoln Unit,” and insert “d” under the boundary description.
 - Page 13, insert the following language:
 - ^d See (3) Bighorn Sheep Units (below) for detailed legal descriptions of these hunt are boundaries.
 - Page 17, insert detailed legal descriptions for (m) Whitestone Unit, and (n) Lincoln Unit.

Rationale: Because female bighorn sheep (ewe) groups are documented as having non-overlapping sub-herd home ranges and rarely interact demographically, the department desires to manage them separately for purposes of this ewe hunt. New legal descriptions are required to formalize the new subunits.

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

Supporting Comments:

Three (3) comments expressed general support.

Opposing, Neutral, and Other Comments:

Some commenters recommend additional harvest in Lincoln Cliffs because of concerns that the herd is larger than the department estimates, and that local property owners dislike the animals. One (1) comment proposed limiting the number of hunt choices on the “Once in a Lifetime” opportunity to two (2) rather than four (4). Three (3) comments proposed transplanting ewes to new areas rather than having ewe hunts when populations exceed objectives. One (1) comment opposed ewe hunting in general. Two (2) comments opposed the recommended rule change to require that all applicants for special permits possess qualifications needed to purchase the license if a permit is drawn (in this case, that youth applicants must have passed hunter education before applying). Three (3) comments recommended providing some of the existing permits to youth only. Some commenters recommended removing the legal description of the Sinlahekin herd, as there are no permits offered this year.

Direction and Rationale:

Based on newer survey data, the department has agreed to increase the number of permits for ram bighorn sheep in the Lincoln Cliffs herd from 1 to 2. The department continues to work with interested parties on ways to allocate scarce permits fairly for species in which the demand far exceeds the supply. Limiting the

number of hunt choices is an alternative approach, one that would be advantageous to some hunters and a disadvantage to other hunters. At present, the department has no existing bighorn sheep populations that are both 1) in need of augmentation, and 2) are known to be free of pathogens that cause disease in bighorns. The department believes that other areas that might be considered for new bighorn sheep herds are either a) too close to known sources of infected bighorns to assure that the new herd would not become infected, or b) too close to private lands where risk of spillover pathogens from domestic sheep and goats is high, and/or agricultural conflicts are likely.

Responding to what seems to be a request for more youth opportunity, we are now recommending that two (2) of the (newly proposed) ten (10) additional ewe permits for the Cleman Mt. herd be reserved for youth hunters. The department hopes to offer permits in the Sinlahekin herd in the near future. In the meantime, keeping the legal description language in WAC reduces future changes and possible clerical errors.

WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas.

Reasons for adopting these rules:

The purpose of the proposal is to require holders of mountain goat hunting permits to pass an online test of their ability to distinguish mountain goats by gender (i.e., billy vs. nanny) before they would be allowed to purchase their mountain goat hunting license; establish new mountain goat hunting seasons in Mt. Margaret back-country, and Mt. St. Helens South (one permit in each area); and split the existing Goat Rocks mountain goat hunt area into two contiguous areas.

Mountain goat populations are sensitive to harvest of females, but identification of gender in the field is difficult. The department currently provides training videos and pamphlets to successful applicants for mountain goat hunting permits, but has no way of ensuring that these materials are used. The department proposes adding an online gender identification test that permit holders would be required to pass before being allowed to purchase a mountain goat hunting license. A passing score would be 80%, and permit holders could re-take the test as often as needed until they achieved a passing score.

We now have reliable surveys indicating that goats inhabiting the Mt. St. Helens and Mt. Margaret areas are sufficiently abundant to sustain a conservative hunt. Thus, new hunts are proposed in this area.

The conflict reduction hunt in the East Olympic Mountains remains in the proposed WAC revision as of 12/20/2017, but we hope to remove it prior to the March Commission meeting if we have more certainty that the multi-agency translocation project will commence in 2018. If agencies are moving goats from the Olympic Mountains, it would be inappropriate to provide hunters with the expectation that there would be goats for hunters to pursue in those same places.

The department's data suggests that mountain goat hunting in the Goat Rocks area has been sustainable, but almost all mountain goats taken have come from the more accessible portions of the area. Splitting the existing hunt area in two (and allocating permits approximately proportionally) would distribute harvest pressure more evenly among goats in the greater population.

Differences between the proposed rule and the rule as adopted:

- Change: Under Mountain Goat Permit Hunts, section (d), change the language to read as follows, "Applicants drawn for a permit may only purchase their license after successfully completing the WDFW mountain goat gender identification training (online or at a participating WDFW office). Rationale: We clarified that the intent is educational rather than restrictive.
- Change: Under Mountain Goat Permit Hunts, change the dates for the East Olympic Mountains A hunt from Aug. 28-Sept. 6 and Sept. 25-Oct. 5 to Sept 15-25.

- Change: Reinstate mountain goat hunt East Olympic Mountains B, Sept. 26-Oct. 6, Any Legal Weapon, (3).
Rationale: If approved by federal agencies (as expected), live translocation of mountain goats in this area could occur during the September 9-22 period. Much or all of the area would be closed to public access for safety reasons. Moving the hunt to this earlier period avoids the conflict, but having a late hunt as well affords hunters the option to hunt later if they desire (acknowledging that some goats may have been non-lethally removed by that time).
- Change: Under (3) reverse the order of the boundary descriptions so that they appear in order of the region in which they are located.
Rationale: Ease of reading.
- Change: Begin the 2018 season in Naches Pass on October 10, not September 15.
Rationale: Fire in 2017 precluded hunter access during the entire season for 3 permit holders in Naches Pass.

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

Supporting Comments:

One (1) comment supported the creation of new hunting areas in the Mt. St. Helens area. Two (2) comments supported the creation of a new web-based gender ID test. Two (2) comments supported subdividing the Goat Rocks unit into two (2) adjacent areas. Eight (8) comments expressed general support of the proposals.

Opposing, Neutral, and Other Comments:

Four (4) comments proposed initiating new hunts in the Alpine Lakes wilderness. Two (2) comments proposed issuing permits for the Blazed Ridge area. One (1) comment proposed issuing permits in the Methow area, and around Mt. Adams. One (1) comment proposed issuing permits in the Pasayten and Glacier Peak areas. One (1) comment favored more liberal hunting for mountain goats in general. One (1) comment proposed limiting the number of hunt choices on the “Once in a Lifetime” opportunity to two (2) rather than four (4). One (1) comment favored removing the “Once in a Lifetime” limitation for hunters successfully harvesting a goat in the East Olympic Conflict Reduction Hunt. Three (3) comments favored retaining and/or expanding the East Olympic Conflict Reduction Hunt. One (1) comment opposed the gender ID test unless separate billy and nanny tags are issued. One (1) comment opposed the new gender identification test because it is hard to distinguish the gender of mountain goats at a distance in the heat of the moment; a second opposed the proposal because it seemed like a waste of money. One (1) commenter’s support was contingent on the test being required of only selected applicants. Another wondered if nannies would still be legal. One (1) comment favored restricting hunts to billies only. One (1) comment favored allowing hunting with muzzleloader equipment on September 1st (as archery hunters are currently permitted). Two (2) comments expressed concern about harvest from Tribal members.

Direction and Rationale:

The department uses guidelines in the statewide Game Management Plan to ensure sustainability of mountain goat harvests. These guidelines call for surveys estimating a resident population of no fewer than 100 goats (excluding kids) before issuing goat permits, and that permits be issued such that, over a 3-year period, the number of females harvested does not exceed 1.2% of the estimated total population.

- As currently defined, the Blazed Ridge area has fallen just short of the minimum 100-goat threshold. In future surveys, the department will examine if biological justification supports expanding the hunt area to include nearby areas with goats.

- Aerial surveys using peer-reviewed methods to account for imperfect detection in the Methow area suggest that the goat population here may have begun recovering from only 22 goats estimates in 2009 (an estimated 43 goats in 2016), but are still insufficient to restore hunting. The department remains interested in understanding if there may have been a distributional change in goats in this area.
- The department has prioritized understanding more about the status of mountain goats in the Alpine Lakes wilderness. Incomplete, ground-based surveys tallied 89 mountain goats within the Enchantments portion of the wilderness in summer 2017; a planned aerial survey was postponed due to smoke and fires but is planned for 2018.
- The department is aware that mountain goats inhabit areas around Mt. Adams and in the Pasayten Wilderness but has been unable to prioritize scarce funding to conduct aerial surveys in these areas.

The department is recommending partial reinstatement of the East Olympic Mountain Conflict Reduction Hunt, as it now appears that the earliest any goat could be translocated from this area, assuming federal approval, is mid-September in 2018. Hunting cannot take place during any removal activities because the United States Fish and Wildlife Service (USFWS) plans to close the area for safety reasons. Since initiation of this hunt, most goats have been taken from a relatively small area, which is also a very popular hiking destination; to reduce hunter crowding and safety issues, the department recommends no more than three (3) permits allowed at any given time.

The department believes that providing additional educational and vetting material, in the form of the gender identification test that may be taken until passed, is an appropriate balance of the benefit of limiting take of female goats, while providing for human error. The test may be taken by anyone, but is only required of those who have been selected by the random lottery process (or through the auction or raffle process). Harvest of female goats would remain legal.

The department has generally opened to archery hunting areas otherwise restricted to muzzleloader equipment, on the basis that archery is “more limited.” The department would want to engage with the public during the next 3-year period to gauge support or opposition to allow muzzleloaders the early dates for goat seasons currently available only to archery hunters.

The department attempts to understand the level of take from Tribal members, and accounts for it when possible in its permitting recommendations. The department continues to work with interested parties on ways to fairly allocate scarce permits for species in which demand far exceeds supply. Limiting the number of hunt choices is an alternative approach, one that would give some hunters an advantage and would be a disadvantage to others.

WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

Reasons for adopting these rules:

The purpose of the proposal is to make date adjustments related to calendar changes; extend the fall turkey season in GMUs 101-154 and 162-186; remove the draw permits from Klickitat County and open GMUs within that county to general season hunting; and prohibit night hunting in GMUs that fall within the lynx management zones as identified by the department.

Turkey populations in those GMUs are high, causing crop and property damage. The proposed change will lengthen the fall season to facilitate additional turkey harvest and help mitigate those problems. The turkey population in Klickitat County is doing well enough to support a general season hunting opportunity. In the past hunting in those GMUs were by draw permit only. The recommended change will do away with the draw permits and opens those GMUs to general season hunters.

A bobcat hunter mistakenly harvested a collared lynx at night last year. It is very difficult to differentiate the two species with artificial light or night vision equipment. The recommended rule change will help conserve the few lynx that exist in the lynx management zones by making it illegal to night hunt in the GMUs that fall within those zones.

Differences between the proposed rule and the rule as adopted:

- Change: Eastern Washington seasons, ring-necked pheasant, youth, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 28-29, 2019 to Sept. 21-22, 2019.
 - Subsection (iii) change the season dates from Sept. 26-27, 2020 to Sept. 19-20, 2020.Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Eastern Washington seasons, ring-necked pheasant, hunters 65+ and hunters with disabilities, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 30 - Oct. 4, 2019 to Sept. 23-27, 2019.
 - Subsection (iii) change the season dates from Sept. 28 - Oct. 2, 2020 to Sept. 21-25, 2020.Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Western Washington seasons, ring-necked pheasant, youth, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 28-29, 2019 to Sept. 21-22, 2019.
 - Subsection (iii) change the season dates from Sept. 26-27, 2020 to Sept. 19-20, 2020.Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Western Washington seasons, ring-necked pheasant, hunters 65+ and hunters with disabilities, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 30 - Oct. 4, 2019 to Sept. 23-27, 2019.
 - Subsection (iii) change the season dates from Sept. 28 - Oct. 2, 2020 to Sept. 21-25, 2020.Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Extended season dates, subsection (iii), replace the word “will” with “may.”
Rationale: This will give the department the option to release pheasants if they are available. This also allows the department to release pheasants at hunting clinics that could be held in those areas during that time.

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

Supporting Comments:

Of the 40 people that commented on the recommended changes to this WAC, 22 generally agreed with the proposed changes. Twelve (12) people had comments specific to the extension for fall turkey season in District 1. Of those, nine (9) supported this recommended change.

Opposing, Neutral, and Other Comments:

Of the 40 people that commented on the recommended changes to this WAC, 12 generally opposed and two (2) were neutral. Thirteen (13) people had comments specific to bobcat season night closures for

protecting lynx, 11 oppose this recommended change. Those opposing the night hunting closure indicated that hunters should know what they are shooting at, and it is unfair to penalize all hunters for the mistakes of a few hunters.

Direction and Rationale:

The department will move forward with the recommended changes to this WAC. Although a majority that commented specifically on the night hunting ban in areas identified for lynx recovery opposed the recommendation, the department feels that it is too risky to allow night hunting in those areas. Bobcat and lynx are difficult to tell apart in daylight for most people and almost impossible with night vision and artificial light. We are erring on the side of conservation with this recommendation. Please keep in mind that this recommended rule change does not prohibit hunting of bobcat during daylight hours in those areas.

WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations.

Reasons for adopting these rules:

The purpose of the proposal is to specify legal season dates and bag limits for the 2018-2019 season. Waterfowl seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway Council and the U.S. Fish and Wildlife Service, considering population status and other biological parameters. The rule establishes waterfowl seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the waterfowl resources in Washington.

Differences between the proposed rule and the rule as adopted:

- Change: Under Ducks, special youth waterfowl hunting weekend, change the dates from Sept. 15-16, 2018 to September 22-23, 2018 in Western Washington (West Zone) and September 29-30, 2018 in Eastern Washington (East Zone).
Rationale: Mid-September precedes the first flights of migrant waterfowl into Washington State. This date change also provides more time between Septembers Canada goose season dates and youth weekend (for example, GMA1 ends Sept. 13, 2018) as well as aligning the migration period of Greater White-fronted Geese (now to be included as legal species during the Youth Waterfowl Hunt Weekend). Additionally, habitat managers have a hard time meeting a mid-September flood-up date to provide opportunities on public lands (federal and state). Therefore, in an effort to provide a better first opportunity to youth waterfowl hunters and to provide the opportunity for experiences on both the west and east side of the state in a given year, this change is expected to yield a better first experience opportunity to a new generation of waterfowl hunters.
- Change: Under Geese, special youth waterfowl hunting weekend, change the dates from Sept. 15-16, 2018 to September 22-23, 2018 in Western Washington (West Zone) and September 29-30, 2018 in Eastern Washington (East Zone).
Rationale: Mid-September precedes the first flights of migrant waterfowl into Washington State. This date change also provides more time between Septembers Canada goose season dates and youth weekend (for example, GMA1 ends Sept. 13, 2018) as well as aligning the migration period of Greater White-fronted Geese (now to be included as legal species during the Youth Waterfowl Hunt Weekend). Additionally, habitat managers have a hard time meeting a mid-September flood-up date to provide opportunities on public lands (federal and state). Therefore, in an effort to provide a better first opportunity to youth waterfowl hunters and to provide the opportunity for experiences on both the west and east side of the state in a given year, this change is expected to yield a better first experience opportunity to a new generation of waterfowl hunters.

- Change: Under Regular Season, rearrange the language to bring the last sentence of the paragraph to the beginning of the paragraph.
Rationale: The change distinguishes the difference between Canada goose and white-fronted goose season dates from white goose season considerations.
- Change: Under Regular Season, change the white goose season dates from February 16-27, 2019 to February 9-20, 2019.
Rationale: The winter index for snow geese in the Skagit-Fraser Delta has exceeded the 70K goose threshold required to extend hunting past January. A change in proposed February dates is to minimize conflict with the “Port Susan Snow Goose & Birding Festival” that has traditionally occurred on the final weekend of February. This action is to provide relief to agricultural depredation concerns in this region.
- Change: Under Regular Season, change the white goose season dates from February 16-27, 2019 to February 9-20, 2019, and to call out Skagit and Snohomish counties for public land closures.
Rationale: The winter index for snow geese in the Skagit-Fraser Delta has exceeded the 70K goose threshold required to extend hunting past January. A change in proposed February dates is to minimize conflict with the “Port Susan Snow Goose & Birding Festival” that has traditionally occurred on the final weekend of February. This action is to provide relief to agricultural depredation concerns in this region. Public lands will be closed during the Feb. 9-20, 2019 period to allow geese to utilize these habitats.
- Change: Under Regular Season, insert “During Feb. 9-20, 2019 in Snohomish County, that portion of east of Interstate 5 is closed to goose hunting in Goose Management Area 1.”
Rationale: This action is to provide relief to agricultural depredation concerns in this region. The region of agricultural extent beyond Skagit County is the mouth of the Stillaguamish River west of Interstate 5. There is valid concern that the portion of Snohomish County east of Interstate 5 does not meet the intended zone of influence and may cause conflict with misidentification with swans that are more prevalent than snow geese in this particular zone.
- Change: Under Goose Management Area 4, insert “Additionally, to accommodate opportunity during recognized holiday periods, the 2018-2019 season will include:”
Rationale: The public expressed some confusion over the current language as it related to recognized holidays.
- Change: Under Falconry Seasons, add heading and description as follows:
DUCKS, COOTS, CANADA GEESE, AND WHITE-FRONTED GEESE (EXCEPT BRANT AND WHITE GEESE) (Extended Falconry)
Sept. 22-23, 2018 in Western Washington (West Zone).
Sept. 29-30, 2018 in Eastern Washington (East Zone).
Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, Canada geese, and white-fronted geese following special youth weekend allowable species.
Possession Limit: 2 times the daily bag limit.
Rationale: Two (2) extra days are available for early falconry opportunity in each zone, if it overlaps with the special youth waterfowl hunting dates. This provides this hunting user group an additional opportunity towards early-season harvest that has not been made available to them in the past.

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

Supporting Comments:

There were 25 comments submitted for this WAC proposal. Fifteen (15) comments generally agreed with the proposal.

Opposing, Neutral, and Other Comments:

Five (5) opposed. Five (5) neutral. Several comments expressed concern over the proposed youth hunt dates, suggesting they were too early. Several comments expressed concern about the hunting times allowed. One (1) comment was requesting 7-days per week goose hunting in Goose Management Area 2. One (1) comment was related to the date range proposed for the brant season in Skagit County. One (1) comment asked for clarification regarding the bag-limits set for snow geese versus “specks” (white-fronted geese). Finally, one (1) comment was related to a topic not covered under this WAC.

Direction and Rationale:

A reordering of season language under Goose Management Area 1 will make Regular Season dates and considerations more clear per provided comment.

Will add, “Additionally, to accommodate opportunity during recognized holiday periods, the 2018-2019 season will include...” to clarify Goose Management Area 4 language. The department will review the proposed special youth waterfowl hunting dates for migratory birds, and attempt to better align available dates with waterfowl resource opportunities.

The proposal to require a mandatory harvest report card for Goose Management Area 2 Coast and Inland will provide needed information towards future recommendations regarding number of days per week allowed to be hunted in this GMA. However, this comment ignores the consideration required to be exercised regarding Dusky Canada Goose season closures in this same zone.

To conduct and analyze the required survey that sets the season length for the Skagit County brant hunt is not feasible with hunt dates before January 6th. Based on historic surveys, date window between January 12-27 provides the best probability for a true winter count and considers available tide conditions for January 2019.

The difference in bag-limit between snow geese (6 geese per day) and white-fronted geese (10 geese per day) reflects a difference in management responsibility for Washington per Management Plans created by the Pacific Flyway Council. Snow geese in Washington, unlike in California, are predominately from a population originating from Wrangel Island, Russia. This population historically wintered in the Skagit-Fraser Delta region and a State objective is to maintain a winter population of 50-70K geese in this region, which was only surpassed in the past 2 years. Once the population index falls below 70K, the season and bag-limit structure may have to be reconsidered. Conversely, white-fronted geese are migrants through Washington and winter primarily in California and Mexico. The Pacific Flyway Management Plan for this population indicates this population is well above management objective and allows for a maximum daily bag-limit of ten (10) white-fronted geese. During the short periods that white-fronted geese pass through Washington it is supported to maximize the daily bag limit and harvest potential without any anticipated changes in the foreseeable future.

The department will move forward with the recommendations, with slight adjustments based on public input and concerns, to the Fish and Wildlife Commission.