

Concise Explanatory Statement (CES)

Concise Explanatory Statement for Hunting Contests

Rules amended as part of this rulemaking:

WAC 220-412-110 – Hunting contests
WAC 220-413-060 – Hunting restrictions

1. Background/Summary of Project:

There are two proposals related to hunting contests. The first excludes from hunting contests those species that do not have bag limits. The second makes it illegal to participate in a hunting contest that is not permitted by the Washington Department of Fish and Wildlife (WDFW). The purpose of both of these proposals are to address concerns that some of our public have raised about people holding contests without a permit and the fact that these contests promote killing large numbers of those species that do not have a bag limit which can be perceived negatively by some members of the public.

2. Reasons for adopting the rule:

The rule changes proposed will exclude from hunting contests those species that do not have bag limits and make it illegal to participate in a hunting contest that is not permitted by the department. The Commission believes hunting contests that reward individuals for killing the highest number of animals is not in keeping with the North American Model of Wildlife Conservation. Contests that reward killing a maximum number of animals in limited time periods contradict the conservation values of most hunters and erode public support for hunting altogether.

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

None.

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

WAC 220-412-110 Hunting contests.

We received more than 2,000 total comments on this proposed rule changes. One thousand nine hundred and thirty-six came through our online survey. There were 122 emails. Some of the online respondents did not indicate if they agreed or disagreed with the proposed rule changes.

Written Supporting Comments:

Sixty percent of the non-neutral online respondents indicated that they agreed with this rule change. Sixty-nine percent of those who commented via email supported the recommended rule changes.

Written Opposing, Neutral, and Other Comments:

Forty percent of the non-neutral online respondent disagreed with the proposed language some disagreed because they saw value in the contests, others saw this as a stepping-stone to getting rid of hunting altogether. Some of those that disagreed did so because they wanted the rule to be more stringent and outlaw contests altogether. We gleaned that information by looking at the comments of those that disagreed with the proposal. Thirty-one percent of those who commented via email opposed the recommended rule change. Three percent of all the respondents that provided an opinion on the suggested rule change were neutral.

Some of the other comments we received included:

- Coyotes play an important ecological role in healthy ecosystems.
- Opposed to hunting contests (should be banned entirely).
- Opposed to contests except to control invasive species.
- Opposed to hunting in general.
- Reduce or eliminate prizes.
- Make it clear that this does not ban hunting dog field trials or training.
- Numerically based contests are needed to control coyote numbers.
- Contest can help reduce predator populations.
- Contests can be an economic boost for small communities.
- Too many regulations.

Fish and Wildlife Commission Hearing, Public Comments:

The public comments we received at the commission meeting reflected the comments that we received online and via email. Most of the people that testified were supportive of the recommended language. A few testified in opposition due to concerns about reduced hunting opportunity, predator impacts and the effects on rural economies.

Rationale-Agency Action Regarding Comments:

Most of the comments were in favor of the proposed rule change. Those that were opposed had multiple reasons. We have outlined the most prominent reasons and WDFW's consideration below:

Comment: Opposed to hunting contests (should be banned entirely)

WDFW still values hunting, and the intent of this rule change is to maintain hunting and some regulated contests. The department believes that there are some contests can be beneficial to increase hunter participation and help rural communities stay vibrant. Because contests will still be allowed for species that are subject to bag limits, rewards for those allowed contests will not be connected to the act of killing the most of the target species. Thus, we did not act on comments related to doing away with contest or hunting altogether.

Comment: Opposed to contests except to control invasive species
Same rationale as given above for opposing these contests all together.

Comment: Opposed to hunting in general

Doing away with hunting was not considered a viable option. Hunting is a big part of the North American Model of Wildlife Conservation and hunters contribute most of the funding that allows us to manage wildlife species.

Comment: Reduce or eliminate prizes

WDFW did consider doing away with prizes. If some contests were going to continue for the reasons outlined above, then prizes would be necessary to entice people to participate. Current rules already cap cash prizes at \$2,000.00. WAC 220-412-110(5).

Comment: Make it clear that this does not ban hunting dog field trials or training

We considered this and made it clear in our presentation that this rule change does not pertain to dog field trials since permitting for those is done separately and through a different process altogether.

Comment: Numerically based contests are needed to control coyotes and other predator numbers

We considered this comment, but much of the literature on this subject does not support the premise that taking large numbers sporadically (as these contests do) will reduce coyote numbers in the long-term. Contests that reward killing the highest number of animals can also incentivize contestants to engage in illegal behavior, such as trespassing on private property in the effort to locate and kill a maximum number of the target species.

Comment: Contests can be an economic boost for small communities

We agree with this and that is why we did not act to ban contests entirely. The amendment bans contests only for those species with no bag limit.

Comment: Too many regulations

Some regulations are necessary to ensure that wildlife is protected, and the department only promulgates rules when there is a need to do so. This need sometimes related to biological issues of managing a specific species and other times it is related to social values. In this instant it was the latter.

WAC 220-413-060 Hunting Restriction.

We received more than 2,000 total comments on this proposed rule changes. One thousand nine hundred and thirty-six came through our online survey. There were 122 emails. Some of the online respondents did not indicate if they agreed or disagreed with the proposed rule changes.

Written Supporting Comments:

Seventy-six percent of the non-neutral online respondents indicated that they agreed with this rule change. Few of the emails we received specifically mentioned this rule change. Almost all the respondents that agreed with changes to WAC 220-412-110 also agreed with these changes. Some respondents that disagreed with changes to WAC 220-412-110 said that they agreed with the recommended changes to this rule as was captured by the online survey.

Written Opposing, Neutral, and Other Comments:

Twenty-four percent of the non-neutral online respondent disagreed with the proposed language. Of all the respondents that provided an opinion on the suggested rule change 5% were neutral.

One comment that we received on this change is that the penalty should more severe than an infraction.

Fish and Wildlife Commission Hearing, Public Comments:

The public comments we received at the commission meeting reflected the comments that we received online and via email.

Rationale-Agency Action Regarding Comments:

Most commenters agreed with this rule change and those that did not agree fell into two camps. Some wanted a penalty that was higher than an infraction. And others felt that there should be no penalty. The Department feels that the penalty is commensurate with the actions. Individuals who sponsor an unpermitted contest are already criminally liable by statute. RCW 77.15.160. The Department believes individuals who participate as contestants in illegal contests should be equally accountable, and expanding liability to contestants will help ensure that individuals make informed decisions before engaging in such conduct. Also having no penalty makes it appear as if the department is not concerned about unpermitted contests.