

## **Concise Explanatory Statement 2023 Season Setting**

### **Rules amended as part of this rulemaking:**

WAC 220-412-100 Landowner Hunting Permits.  
WAC 220-415-020 2021-2023 Deer general seasons and definitions.  
WAC 220-415-030 2021 Deer special permits.  
WAC 220-415-040 Elk area descriptions.  
WAC 220-415-050 2021-2023 Elk general seasons and definitions.  
WAC 220-415-060 2021 Elk special permits.  
WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.  
WAC 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.  
WAC 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.  
WAC 220-416-060 2021-2022 Migratory gamebird seasons and regulations.

### **Rules repealed as part of this rulemaking:**

N/A

### **Rules created as part of this rulemaking:**

N/A

### **1. Background/Summary of Project:**

#### **Landowner Hunt Permits**

##### WAC 220-412-100 Landowner Hunting Permits.

The LHP program began as a way to provide public access to larger private land parcels that were otherwise inaccessible by the general public. It was also a new way to incentivize landowners while also serving as a way to mitigate conflict in certain cases. Historically, there have never been more than seven properties in the LHP program statewide, currently, there are five properties enrolled. We are currently in the middle of the 3-year cycle for these properties. The next application opportunity will be in 2023 for the 2024-2026 seasons. Since this is the first cycle after the thorough revision of the program that concluded in 2019, we are currently assessing, and monitoring the revisions made in 2019 and evaluating further potential revisions as we continue to monitor program success.

#### **Deer**

Black-tailed deer, mule deer, and white-tailed deer are all native to the state of Washington. The total deer population in the state numbers is approximately 300,000. The goal of deer population management is to maintain relatively stable populations within the limitations of available habitat, landowner tolerance, accounting for extreme weather events (i.e., summer and fall

drought, catastrophic fire, protracted winters with deep snow). Recreation management for deer is directly tied to population management. The recreation goal for deer is to maintain or increase hunting opportunity. An additional goal is to be responsive to landowner conflicts which sometimes involves recreational hunting seasons. The specific statewide management goals for deer are:

- Preserve, protect, perpetuate, and manage deer and their habitat to ensure sustainable populations.
- Manage deer for a variety of recreational, educational, and aesthetic purposes including hunting, scientific study, cultural, subsistence, and ceremonial uses by Native Americans, wildlife viewing, and photography.
- Manage statewide deer populations for a sustainable annual harvest.

Deer are hunted in Washington from September through December with special permit opportunities extending into March. State regulations provide for archery, muzzleloader, and modern rifle seasons. In recent years Washington's deer harvest has been evenly distributed with black-tailed deer, mule deer, and white-tailed deer each making up approximately one third of the harvest.

#### WAC 220-415-020 2021-2023 Deer general seasons and definitions.

Specific amendments include:

- A change to black-tailed deer early archery 2022 general season dates is to address an inadvertently lengthened general season resulting from the 2021-2023 season setting process. The lengthened season created overlap among hunters of different weapon types and this change will avoid that overlap in the 2022 license year. The 2023 license year was unaffected and does not need to be addressed.
- A change to the list of GMUs for western Washington black-tailed deer early muzzleloader season is to list the open GMUs in numerical order. This change clarifies open GMUs and should help avoid confusion by hunters.
- A change in the 2022 and 2023 late archery mule deer general season for GMUs 209, 215, 233, 243, 250 is to address an inadvertently shortened season resulting from the 2021-2023 3-year season setting process. This change restores season length and hunting opportunity to past levels.

#### WAC 220-415-030 2021 Deer special permits.

Changes to deer special permit availability (i.e., permit dates, permit levels) are to balance hunting opportunity among user groups with deer population status (i.e., increased hunting opportunities when populations can sustain additional harvest or reduced opportunities when surveys or trends indicate population decline), and to retain consistency in season timing.

Amendments include:

- Adjustment of season dates to align with the calendar year.

- Reductions in permits in the antlerless, youth, 2nd deer, and hunter with disability categories are to assist population recovery of white-tailed deer and mule deer.
- Reductions in permits in the quality and buck categories are to balance hunter opportunity with population status (i.e., the number of bucks on the landscape) for white tailed deer and mule deer.
- Moving Skokomish Quality deer permit opportunity to the Buck category.
- Adjustments to permit numbers in Buck, Antlerless, Senior, Youth and Hunter with Disability categories in the Olympic and Willapa Hills black-tailed deer management zones.
- A clerical error was discovered in hunt 1730 GMU 485 hunters with disability after the commission adopted these rules in April 2022. The permits should be buck only but antlerless was mistakenly entered as the legal deer. This was corrected by Commission action at the July 15<sup>th</sup>, 2022, meeting.

### **Elk**

Both Roosevelt elk and Rocky Mountain elk are native to Washington. For management purposes, WDFW formally recognizes and manages elk across ten elk herds. Most recent estimates of abundance indicate 45,000-55,000 elk statewide. The Department has developed or is updating management plans for each of the ten elk herds in the state. Herd plans specifically address the unique conservation challenges that face each herd. Elk herd plans, which come under the overall management guidance of the Game Management Plan also facilitates cooperative management with tribes.

The statewide management goals for elk are:

- Preserve, protect, perpetuate, and manage elk and their habitat to ensure sustainable populations.
- Manage elk for a variety of recreational, educational, and aesthetic purposes including hunting, scientific study, subsistence, cultural and ceremonial uses by Native Americans, wildlife viewing, and photography.
- Manage elk populations for a sustainable annual harvest.

In Washington, elk are hunted from August through December with some special permit hunts to address agricultural damage taking place as late as March. Non-recreational lethal removals to mitigate wildlife conflict can happen year-round. Hunting seasons for archery, muzzleloader, and modern firearms are currently available to both resident and non-resident hunters. There are currently no quotas on the number of general elk season licenses sold. Hunters are required to choose one weapon type and declare whether they will hunt east side or west side elk. For most of eastern Washington, general hunting seasons allow spike-only bull harvest and special permit opportunities allow the harvest of branch-antlered bulls. Currently, “any bull” harvest is allowed for general season in northeastern Washington. West side elk hunting regulations usually include 3-point minimum antler restrictions. Some western Washington GMUs can only be hunted under limited-entry, special permits. Some “any elk” hunting opportunities exist in parts of south-central and southwest Washington where expansion of elk populations is discouraged. Hunting seasons are designed with the objective of limiting extreme fluctuations in sustainable harvests from year to year.

Elk areas: The Department uses Elk and Deer Areas to concentrate harvest in localized areas where there is a need to reduce local populations. Most commonly, this need is related to mitigating elk and deer conflicts with agricultural producers or other private landowners. At times, adjustments to hunt area boundaries are needed. The potential reasons for needing to adjust boundaries vary, but are most associated with reducing hunter confusion, addressing enforcement concerns, or changes in the abundance and distribution of local big game populations.

WAC 220-415-040 Elk area descriptions.

Specific amendments include:

A boundary change to elk area 3911 allows for continued wildlife-conflict mitigation while addressing concerns from neighboring landowners. A change to elk area 1054 to help address elk agricultural damage by concentrating harvest pressure where damage is most common, while avoiding harvest of antlerless elk in areas where population growth is desired.

WAC 220-415-050 2021-2023 Elk general seasons and definitions.

Specific amendments include:

Modification of eastern Washington archery early and late seasons in GMU 382 to exclude Deer Area 5382.

WAC 220-415-060 2021 Elk special permits.

Numerous changes to elk special permits such as permit dates and permit levels include:

- Reductions in permit levels in the Blue Mountains elk herd area (Blue Creek, Tucannon, Wenaha East, Mountain View, Peola) in the Quality and Antlerless categories.
- Elimination of the Mt. Adams, Carlton, and West Goat Rocks ‘quality’ elk special permit hunt.
- Reduction of permit levels for Antlerless elk permits in the Mount St Helens elk herd area (Winston, Coweeman, Lewis River, Washougal, Siouxon, Wind River, and West Klickitat).
- Elimination of the Forks 65+ Senior antlerless elk special permit.
- Creation of new “incentive” special permits are in association with the Department’s pilot program to incentivize the harvest of elk that display signs of treponeme-associated hoof disease.

**Moose**

Moose hunting in Washington began in 1977 with three permits in the Selkirk Mountains. Since then, as moose populations increased and expanded, the number of permits increased accordingly. Currently, moose hunts are by permit only and, if drawn, it is a once-in-a-lifetime opportunity (except antlerless hunts). Moose hunts are either “any bull” or “antlerless only”.

Hunters typically see several moose/day and harvest success has been high (typically >75%). All moose hunters are required to report their hunting activities online, regardless of whether they harvest a moose or not. Although the number of moose harvested is low, the demand for special permits is high.

In recent years, the Department had conducted aerial surveys of moose in selected areas annually. Surveys have typically been conducted during early winter (prior to antler drop by bulls), with the data being used to estimate calf recruitment, sex ratio, and population trend. In addition to surveys, the Department monitors trends in harvest data, including number of hunters, total harvest, days hunted/kill, harvest success, moose seen while hunting, antler spread (if harvested a bull), and age of harvested moose.

WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.

The specific amendments to WAC 220-415-070 are:

- A change to exclude Parker Lake from hunt area 49 Degrees North.
- A change to the hunt area of the Hangman and Cheney B hunts that expands the hunt area to include GMU 139.

**Big Horn Sheep:**

Washington State has approximately 1,600 bighorn sheep distributed across 17 identified herds, exclusive of those managed by tribal governments. Of these, WDFW categorizes sheep in 11 herds as 'California bighorns' and six as 'Rocky Mountain bighorns'. The overwhelming management concern for bighorns in Washington is mortality and poor lamb recruitment caused by pneumonia.

In Washington, most hunting is of mature rams. Therefore, harvest thresholds are based on total population size, sex structure, and the number of mature rams in a herd. Hunting opportunity for rams is allocated by permit drawing and is a once-in-a-lifetime opportunity (except for raffle and auction permit holders, and ewe hunts). While the number of bighorn sheep harvested is low, there is significant interest in participating in the bighorn sheep special permit hunting season. WDFW uses a lottery draw process to issue permits to selected hunters.

The Department has generally surveyed each herd annually, using either aerial or ground surveys. Surveys typically are conducted during winter when animals are concentrated, and data are used to estimate population size, lamb recruitment, sex ratio, and percentage of mature rams in the population. In addition to surveys, individuals from selected herds are screened for disease and parasites during winter captures or feeding operations.

WAC 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.

The specific amendments are:

- Changes to bighorn sheep permit availability (i.e., permit levels) to balance hunting opportunity with population status.
- An adjustment of hunt dates that increase or maintain the number of open days for some hunts.
- Modification of the hunt area for the Mountain View – Black Butte hunt to increase the hunt area to include GMUs 186 and portions of GMU 181.

### **Mountain Goat**

WDFW formally recognizes 14 mountain goat hunt areas and restricts harvest opportunities to those areas. Currently, mountain goat hunting is a once-in-a-lifetime opportunity. Permitted hunters may harvest any adult goat with horns >4 inches. Hunters are urged not to harvest a nanny. To ensure sustainable harvest levels, modifications to permit levels are considered on an annual basis and informed by population survey data.

While the number of mountain goats harvested is low, there is significant interest in participating in the mountain goat special permit hunting season. WDFW uses a lottery draw process to issue permits to selected hunters.

### **WAC 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.**

The specific amendments are:

- A one-permit reduction in mountain goat permit availability of the Goat Rocks East hunt to balance hunting opportunity with population status.
- Suspension of “conflict reduction special permits.”

### **Migratory Gamebird**

### **WAC 220-416-060 2022-2023 Migratory gamebird seasons and regulations.**

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

The specific amendments are:

- Adjust season dates relative to 2022-2023 calendar dates.
- Maintain the “liberal regulatory alternative” as prescribed by the Western Mallard Adaptive Harvest Management Protocol for season length and bag-limit for ducks (107 days, up to 7 duck bag-limit, including no more than 2 female mallards).
- Maintain one-pintail per day bag-limit and associated possession limit per the USFWS Northern Pintail Harvest Strategy.

- Maintain two-scaup per day bag-limit and associated possession limits, while maintaining an 86-day season length per the optimal regulatory alternative described in AHM protocol.
- Evaluate sea duck harvest estimates in relation to the most recent PSAMP aerial survey results for consistency with the WDFW sea duck management strategies of less than 5% of the winter index.
- Decrease the Canada goose (including cackling geese) daily bag-limit in Goose Management Area 2-Coast and Goose Management Area 2-Inland to three Canada geese per day bag-limit and associated possession limits during the regular season.
- The brant season in Skagit County will start closed as the most recent 3-year winter index has fallen below 3,000 brant.
- Adjusts the nine-day band-tailed pigeon season dates to start and end on a weekend.
- Clarifies that mandatory harvest reporting information must be recorded within the designated spaces provided on the harvest record card.

## 2. **Reasons for adopting the rule:**

The overall purpose of these rule amendments is the continuing provision of sustainable recreational hunting opportunities and population management of covered wildlife species, in furtherance of RCW 77.04.012.

### WAC 220-412-100 Landowner Hunting Permits.

The changes provide slight adjustments to season dates to align with the new 2022 calendar dates (specifically, weekend dates). Adopting the date adjustments will align it with the current year. Secondly, adopting the language changes to the SOP/WAC that identified discrepancies between the WAC and Commission Policy C-6002 will realign the language and provide clarity.

### WAC 220-415-020 2021-2023 Deer general seasons and definitions.

The changes correct hunt dates that were inadvertently lengthened in the 2021 rulemaking process, avoiding potential conflict among hunters of different weapon types. The changes update the black-tailed deer early muzzleloader open GMUs to list GMU numbers to avoid confusion by hunters. The changes modify hunt dates for a mule deer season that had been inadvertently shortened in the 2021 rulemaking process; the change restores season length to past levels.

### WAC 220-415-030 2021 Deer special permits.

Adjusting season dates to align with the calendar year: Season dates had to be adjusted to align with a calendar year to ensure seasons occurred during preferred days (e.g., most open on a Saturday).

Reductions in permits in the antlerless, youth, 2nd deer, and hunter with disability categories are to assist population recovery of white-tailed deer and mule deer: These changes are in response to hemorrhagic disease outbreaks in eastern and north central Washington during late summer of 2021, which reduced abundance of white-tailed deer and mule deer.

Moving Skokomish Quality archery deer permit opportunity to the Buck category: harvest success rate for this permit has declined and no longer meets the definition of quality. To better meet hunter expectations for this special permit opportunity, wildlife managers moving this permit to the “buck” category.

Adjustments to permit numbers in Buck, Antlerless, Senior, Youth and Hunter with Disability categories in the Olympic and Willapa Hills black-tailed deer management zones: Adjustments are informed by population monitoring (e.g., harvest statistics) and to maintain population management and harvest objectives for each zone and/or hunt unit.

A clerical error was discovered in hunt 1730 GMU 485 hunters with disability after the commission adopted these rules in April 2022. The permits should be buck only but antlerless was mistakenly entered as the legal deer. This was corrected by Commission action at the July 15th, 2022, meeting.

#### WAC 220-415-040 Elk area descriptions.

The boundary change to elk area 3911 allows for continued wildlife-conflict mitigation while addressing concerns from neighboring landowners. Elk area 1054 will help address elk agricultural damage by concentrating harvest pressure where damage is most common, while avoiding harvest of antlerless elk in areas where population growth is desired.

#### WAC 220-415-050 2021-2023 Elk general seasons and definitions.

Modifying the eastern Washington archery early and late seasons in GMU 382 to exclude Deer Area 5382 will eliminate overlap between elk general season hunters and deer special permit holders, thereby eliminating potential conflict among user groups and avoiding reduced hunt quality.

#### WAC 220-415-060 2021 Elk special permits.

Changes to elk special permit availability (i.e., permit dates, permit levels) are to balance hunting opportunity among user groups with elk population status (i.e., increased hunting opportunities when populations can sustain additional harvest or reduced opportunities when surveys or trends indicate population decline), and to retain consistency in season timing.

Reductions in permit levels in the Blue Mountains elk herd area (Blue Creek, Tucannon, Wenaha East, Mountain View, Peola) in the Quality and Antlerless categories are in response to reduced population abundance (population estimate was ~35% below its objective in 2021).



Elimination of the Mt. Adams, Carlton, and West Goat Rocks ‘quality’ elk special permit hunt is in response to a decline in elk abundance, hunt quality and negative feedback regarding hunt satisfaction.

Reduction of permit levels for Antlerless elk permits in the Mount St Helens elk herd area (Winston, Coweeman, Lewis River, Washougal, Siouxon, Wind River, and West Klickitat) are because of a population decline. Conservative antlerless harvest is warranted until population surveys indicate increased abundance toward objective levels.

Elimination of the Forks 65+ Senior antlerless elk special permit is to mitigate hunter crowding and associated landowner complaints.

Treponeme-associated hoof disease reduces the survival of affected elk and has contributed to population declines in some areas. The “incentive” special permits are in association with the Department’s pilot program to incentivize the harvest of elk that display signs of treponeme-associated hoof disease. The incentive program is designed to reduce the prevalence of elk hoof disease in western Washington.

#### WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.

- A change to exclude Parker Lake from hunt area 49 Degrees North. The excluded area is undergoing a large-scale timber harvest that will negatively impact hunt quality.
- A change to the hunt area of the Hangman and Cheney B hunts that expands the hunt area to include GMU 139. This change broadens hunting opportunity for permit holders and may help address occasional moose-human conflict in areas of expanding moose distribution.

#### WAC 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.

- Changes to bighorn sheep permit availability (i.e., permit levels) to balance hunting opportunity with population status. Elimination of Selah Butte and Umtanum adult ewe, juvenile ram, and youth permits are due to a recent outbreak of bighorn sheep pneumonia in the Yakima population, which is anticipated to reduce the overall population abundance.
- An adjustment of hunt dates that increase or maintain the number of open days for some hunts. This change is relatively minor and made only to maintain consistency and meet hunter expectations of hunt dates.
- Modification of the hunt area for the Mountain View – Black Butte hunt. This change is made to increase the hunt area to include GMUs 186 and portions of GMU 181, expanding hunting opportunity for permit holders.

#### WAC 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.

- A one-permit reduction in mountain goat permit availability of the Goat Rocks East hunt. This change is made to balance hunting opportunity with population status (i.e., as populations decline, so does permit availability).

- Suspension of “conflict reduction special permits.” These permits are in association with a mountain goat depopulation effort on the Olympic Peninsula. In summer 2022, aerial removal efforts will continue in the current hunt areas. As a result, few, if any, mountain goats are anticipated to remain in the hunt area and hunting opportunity will be poor quality. Future permit opportunity may be reinstated after the aerial removal has concluded if mountain goats remain in accessible locations in the hunt area

WAC 220-416-060 2022-2023 Migratory gamebird seasons and regulations.

Migratory gamebird season frameworks are established through ongoing interagency management programs involving U.S. Fish and Wildlife Service (USFWS) and flyway organizations, including input from Canada, Russia, and Mexico. Federal frameworks include maximum bag limits, season lengths, season timing, and other regulations. Pacific Flyway season frameworks follow harvest strategies and management plans that have been developed cooperatively by USFWS and the Pacific Flyway Council. All states adopt waterfowl seasons within federal frameworks, and in many cases, they are more restrictive to address regional conservation needs. Management agencies utilize Adaptive Harvest Management (AHM) to establish duck season frameworks. AHM relies on annual survey information and population models to prescribe optimal regulation packages each year. The population of ducks in the western part of North America is managed separately from the eastern flyways, as part of the models developed for western mallard AHM. Western mallard AHM uses results from breeding surveys and other information from western areas rather than from the Canadian prairies, recognizing differences in Pacific Flyway breeding areas. The season packages for western mallard AHM are the same as developed under mid-continent mallard AHM (liberal, moderate, and restrictive), although different models are used to prescribe annual packages.

No surveys of the breeding waterfowl were conducted due to COVID-19 and travel restrictions, however assessments of duck populations based on the most recent trends recommended status quo in season dates and bag-limit structure to those offered during the 2021-22 migratory gamebird seasons. Northern pintail status remained below population objective, maintaining a daily bag limit of one pintail per the USFWS Northern Pintail Harvest Strategy. Additionally, based on the most recent scaup status, the optimal regulatory alternative described in AHM protocol, requires a restrictive regulatory alternative, maintaining the daily bag limit to two scaup per day, but maintains the 86-day season length. Since June 2013, prescriptive guidelines inform sea duck harvest strategies with harvest rate targets of less than 5% or less of the winter index as measured by aerial surveys (PSAMP) conducted by WDFW. Based on the WDFW Sea Duck Harvest Strategy guidelines, harlequin duck harvest has exceeded the 5% threshold, requiring further restriction. At this time, without a limited-user entry option, the harlequin duck bag-limit must be removed and closed to harvest. The Pacific Flyway Council’s management plan for cackling goose (*Branta hutchinsii minima*) directs impacted states to implement regulatory actions to regain the population objective, when the 3-year average population index falls below 225,000 geese. The most recent 3-year average for this population is 206,763 prompting Washington, Oregon, and Alaska to recommend reduced bag limits in high harvest regions of the Pacific Flyway to regain the objective. In Washington, Goose Management Area 2-Coast and Goose Management Area 2-Inland account for the highest harvest of cackling goose (*B. h. minima*).

The mandatory harvest report cards provide improved estimates of total harvest for species and harvest effort in discrete or limited zones of Washington, where traditional methods are not capable of producing reliable or precise estimates of harvest. Harvest record cards are designed to improve how harvest reporting information is recorded and for the enforcement of the harvest restrictions in these specific cases. Specifying harvest must be recorded in the designated spaces on the card clarifies intent and reduces potential confusion by users.

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

WAC 220-412-100 Landowner Hunting Permits.

None.

WAC 220-415-020 2021-2023 Deer general seasons and definitions.

None.

WAC 220-415-030 2021 Deer special permits.

Change: Adjust the Region 2 Master Hunter deer hunt dates to correspond with the 2022/2023 calendar year.

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Region 2	Any/2nd deer tag	Master Hunter	<del>Aug. 1, 2021 – Mar. 31, 2022</del> ; Aug. 1, 2022 - Mar. 31, 2023	Antlerless	Designated Areas in Region 2	10 <sup>HC</sup>

Rationale: The dates for this hunt were not updated in initial rulemaking proposals.

Change: permit date adjustments in the Green River deer hunts and eliminating the Green River Youth hunt and replacing it with a Hunters with Disabilities hunt.

Hunt Name	Category	Weapon/Tag	Hunt Dates	Special Restrictions	Boundary	Permits
Green River	Quality	Any tag	<del>Nov. 13-19</del> ; Oct. 15 - 21	Any buck	GMU 485	5
<del>Green River</del>	<del>Youth</del>	<del>Any</del>	<del>TBD</del>	<del>Any buck</del>	<del>GMU 485</del>	<del>5</del>
Green River	Hunters with Disabilities	Any	<del>TBD</del> Oct. 15 - 21	Antlerless	GMU 485	5

Rationale: Adjustments are because of negotiation with tribal co-managers which occurs after filing of the CR102. Youth and Hunters with Disabilities categories cycle across years to allocate limited opportunity among users.

Change: adjusted permit levels as follows:

Category	Hunt Name	Weapon/tag	Proposed	Final 2022 Permits	Special Restrictions
Quality	Chiwawa	E. Archery	8	6	-2 Any buck
Quality	Slide Ridge	E. Modern	9	8	-1 Any buck
Quality	Slide Ridge	E. Archery	2	1	-1 Any buck
Quality	Ritzville	E. Archery	11	10	-1 Any buck
Quality	Desert	E. Modern	24	25	1 Any buck
Quality	Desert	E. Archery	20	13	-7 Any buck
Quality	Naneum	E. Archery	7	5	-2 Any buck
Quality	Quilomene	E. Modern	19	20	1 Any buck
Quality	Quilomene	E. Archery	7	6	-1 Any buck
Quality	Quilomene	E. Muzzleloader	2	3	1 Any buck
Quality	Teaway	E. Modern	26	29	3 Any buck
Quality	Teaway	E. Archery	42	15	-27 Any buck

Rationale: The permit levels for these hunts are set using a special permit allocation formula. The special permit allocation formula considers harvest statistics of the preceding five years—specifically, the number of hunters and the number of harvests (i.e., success) – and license sales of the immediately preceding license year to allocate the number of permits by weapon type. The goal is to set permits by weapon type at levels that meet a harvest target, which is set by the district biologist based on population characteristics. Much of the information comes in after the CR102 is filed thus changes are often needed between the time the CR 102 is filed and Commission approval.

Change: remove the late muzzleloader black-tailed deer antlerless hunt in GMU 627 (25 total permits).

Rationale: this hunt proposal inadvertently overlaps with a general season that already allows the harvest of antlerless deer (i.e., the permit opportunity is redundant with a general season).

Change: permit date adjustments as follows –

Category	Hunt Name	Weapon/Tag	Hunters	Hunt Dates
Buck	Palouse	Modern Firearm	Any	<del>Nov. 6-19</del> Nov. 5-19
	Mt.	Modern		Oct. 15-28 and <del>Nov. 6-19</del> Nov. 5-19
Senior 65+	Spokane	Firearm	Any	5-19
Hunters with Disabilities	Mt.	Modern	Any	<del>Oct. 16-29</del> and <del>Nov. 6-19</del> Oct. 15-28 and Nov. 5-19
	Spokane	Firearm		15-28 and Nov. 5-19

Rationale: the permit dates were inadvertently not updated for the 2022 license year. The changes bring the permit hunt dates in-line with other hunt dates/seasons in the area and provide consistency for the participating hunters.

Change: “Antlerless” was changed to “buck-only” in hunt 1730 GMU 485 hunters with disability.

Rationale: A clerical error was discovered in hunt 1730 GMU 485 hunters with disability after the commission adopted these rules in April 2022. The Commission voted correct this clerical error at the July 15th, 2022, meeting. This change aligns with WDFW and the Muckleshoot Tribes’ agreed-upon management approach.

WAC 220-415-040 Elk area descriptions.

None.

WAC 220-415-050 2021-2023 Elk general seasons and definitions.

None.

WAC 220-415-060 2021 Elk special permits.

Change: permit adjustments in the Green River elk hunts.

Category	Hunt	Weapon/Tag	Proposed	Final	Restriction
Quality	Green River	WF, WA, WM	<del>Nov. 13-19;</del> Oct. 15-21	10	GMU 485 Any bull
Antlerless	Green River	WF, WA, WM	<del>Nov. 13-19;</del> Oct. 15-21	12	GMU 485 Antlerless
Youth	Green River	WF, WA, WM	Oct. 15-21	NA	2 GMU 485 Antlerless

Rationale: adjustments are a result of negotiations with tribal co-managers which occur after filing of the CR-102. The reduction of two permits in the Antlerless category is compensated by the creation of a Youth category hunt with two permits, thereby providing opportunity across multiple user groups.

Change: Hunt date adjustments as follows -

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Category	Hunt name	Weapon/Tag	Proposed and Final	Species/Restriction
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Antlerless	Peshastin	E. Firearm	<del>Dec. 15, 2021 – Feb. 8, 2022;</del> Dec. 15, 2022 - Feb. 8 2023	Antlerless
Youth	Alkali	E. Firearm	<del>Dec. 17, 2021 – Jan 2, 2022;</del> Dec. 17, 2022 - Jan 2, 2023	Antlerless
Master Hunter	Region 2 MH	Any	<del>Aug. 1, 2021 – Mar. 31, 2022;</del> Aug. 1, 2022 - Mar. 31, 2023	Antlerless

Rationale: The dates for these special permits were inadvertently not updated in draft rulemaking proposals.

Change: Proposed and final adjustments for hunts in the Yakima elk herd area as follows:

Category	Hunt Name	Weapon/tag	Proposed	Final 2022 Permits	Special Restrictions
Antlerless	<u>Taneum</u>	E. Firearm	20	180	160 Antlerless
Antlerless	<u>Manastash</u>	E. Firearm	20	130	110 Antlerless
Antlerless	<u>Umtanum</u>	E. Firearm	20	125	105 Antlerless
Antlerless	Little Naches	E. Firearm	20	125	105 Antlerless
Antlerless	Rimrock	E. Firearm	15	145	130 Antlerless
Antlerless	<u>Cowiche</u>	E. Firearm	15	80	65 Antlerless
Antlerless	<u>Taneum</u> Early	E. Archery	60	100	40 Antlerless
Antlerless	<u>Taneum</u> Late	E. Archery	NA	100	New Hunt Antlerless
Antlerless	<u>Manastash</u>	E. Archery	60	140	80 Antlerless
Antlerless	<u>Umtanum</u>	E. Archery	60	175	115 Antlerless
Antlerless	Nile Early	E. Archery	50	30	-20 Antlerless
Antlerless	Nile Late	E. Archery	NA	30	New Hunt Antlerless
Antlerless	Rimrock	E. Archery	60	100	40 Antlerless
Antlerless	<u>Cowiche</u>	E. Archery	50	100	50 Antlerless
Antlerless	<u>Taneum</u>	E. Muzzleloader	20	100	80 Antlerless
Antlerless	<u>Manastash</u>	E. Muzzleloader	20	100	80 Antlerless
Antlerless	<u>Umtanum</u>	E. Muzzleloader	20	85	65 Antlerless
Antlerless	<u>Cowiche</u>	E. Muzzleloader	10	60	50 Antlerless
Youth	Yakima North	E. Firearm	10	35	25 Antlerless
Youth	Yakima South	E. Firearm	5	25	20 Antlerless
Youth	Yakima Early	E. Archery	20	55	35 Antlerless
Youth	Yakima Late	E. Archery	20	40	20 Antlerless
Youth	Yakima North	E. Muzzleloader	10	25	15 Antlerless
Youth	Yakima South	E. Muzzleloader	10	15	5 Antlerless
65+ Senior Hunters with Disabilities	Yakima Early	E. Archery	10	15	5 Antlerless
	Yakima North	Any	10	15	5 Antlerless

Rationale: The Yakima population is above objective levels, as estimated by surveys conducted after filing of the CR-102 (late February 2022). Consequently, antlerless harvest can be increased in this population to provide additional opportunity and manage this population toward its objective range.

Change: proposed and final permit levels as follows –

Category	Hunt Name	Weapon/tag	Proposed	Final 2022	Permits	Special Restrictions
Quality	Blue Creek	E. Modern	9	7	-2	Any Bull Blue Mtns
Quality	Couse	E. Modern	5	7	2	Any Bull Blue Mtns
Quality	Couse	E. Muzzleloader	1	2	1	Any Bull Blue Mtns
Quality	Dayton	E. Modern	2	3	1	Any Bull Blue Mtns
Quality	Lick Creek	E. Modern	1	2	1	Any Bull Blue Mtns
Quality	Lick Creek	E. Archery	2	2	na	Any Bull Blue Mtns
Quality	Mountain View	E. Archery	7	5	-2	Any Bull Blue Mtns
Quality	Mountain View	E. Muzzleloader	4	4	na	Any Bull Blue Mtns
Quality	Prescott	E. Modern	2	3	1	Any Bull Blue Mtns
Quality	<u>Colockum</u>	E. Modern	22	11	-11	Any Bull <u>Colockum</u>
Quality	<u>Colockum</u>	E. Archery	15	6	-9	Any Bull <u>Colockum</u>
Quality	<u>Colockum</u>	E. Muzzleloader	7	4	-3	Any Bull <u>Colockum</u>
Quality	Toutle	W. Modern	31	32	1	Any Bull Mount St Helens
Quality	Toutle	W. Archery	21	17	-4	Any Bull Mount St Helens
Bull	White River	W. Modern	45	44	-1	Any Bull N. Rainier
Quality	White River	W. Archery	19	18	-1	Any Bull N. Rainier
Bull	Skokomish	W. Archery	3	4	1	Any Bull Olympic
Bull	Skokomish	W. Muzzleloader	1	1	na	Any Bull Olympic
Bull	Peaches Ridge	E. Modern	15	17	2	Any Bull Yakima
Quality	Peaches Ridge	E. Archery	9	8	-1	Any Bull Yakima
Quality	Peaches Ridge	E. Muzzleloader	4	3	-1	Any Bull Yakima
Quality	Goose Prairie	E. Muzzleloader	2	1	-1	Any Bull Yakima
Bull	Goose Prairie	E. Firearm	7	9	2	Any Bull Yakima
Bull	Observatory	E. Modern	15	16	1	Any Bull Yakima
Quality	Observatory	E. Archery	18	13	-5	Any Bull Yakima
Bull	Bethel	E. Modern	7	10	3	Any Bull Yakima
Quality	Bethel	E. Archery	8	9	1	Any Bull Yakima
Bull	Rimrock	E. Modern	33	36	3	Any Bull Yakima
Quality	Rimrock	E. Archery	18	12	-6	Any Bull Yakima
Bull	<u>Cowiche</u>	E. Modern	4	5	1	Any Bull Yakima
Quality	<u>Cowiche</u>	E. Muzzleloader	1	2	1	Any Bull Yakima
Quality	Alkali	E. Modern	25	33	8	Any Bull Yakima
Quality	Alkali	E. Archery	40	25	-15	Any Bull Yakima
Quality	Alkali	E. Muzzleloader	10	9	-1	Any Bull Yakima

NOTE: “N/A” under the “change” column are a result of permit changes in the initial CR102 filing (February 2022) that were subsequently adjusted after the March 2022 briefing to the same

levels as the 2021 license year. Adjustments occurring after the March briefing are a function of the special permit allocation formula, outlined below.

Rationale: the permit levels for these hunts are set using a special permit allocation formula. The special permit allocation formula takes into account harvest statistics of the preceding five years—specifically the number of hunters and the number of harvests (i.e., success) – and license sales of the immediately preceding license year to allocate the number of permits by weapon type. The goal is to set permits by weapon type at levels that meet a harvest target, which is set by the district biologist based on population characteristics. New information came in after the CR102 was filed thus changes were needed between the time the CR 102 is filed and Commission approval.

WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.

None.

WAC 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.

None.

WAC 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.

Change: Change the permit level for the North Lake Chelan mountain goat hunt from 2 to 1.

Rationale: Survey data (i.e., population conducted after filing the CR102 warrants conservative harvest in this hunt unit.

WAC 220-416-060 2022-2023 Migratory gamebird seasons and regulations.

Change: Remove language: “1 harlequin” from Daily Bag Limit and Possession Limit for Regular Season.

Rationale: Based on the WDFW Sea Duck Harvest Strategy guidelines, harlequin duck harvest has exceeded the 5% threshold, requiring further restriction. At this time, without a limited-user entry option, the harlequin duck bag-limit must be removed and closed to harvest.

Change: Add statement: “Harlequin Duck: Season closed statewide.”

Rationale: Based on the WDFW Sea Duck Harvest Strategy guidelines, harlequin duck harvest has exceeded the 5% threshold, requiring further restriction. At this time, without a limited-user entry option, the harlequin duck bag-limit must be removed and closed to harvest.



Change: Remove language: “harlequin,…” from authorization and harvest record card requirement paragraph.

Rationale: Based on the WDFW Sea Duck Harvest Strategy guidelines, harlequin duck harvest has exceeded the 5% threshold, requiring further restriction. At this time, without a limited-user entry option, the harlequin duck bag-limit must be removed and closed to harvest.

Change: Brant season in Skagit potential open season dates and the known season dates in Clallam and Whatcom counties from Jan. 14, 18, and 21, 2023 to Jan. 21, 25, 28, 2023.

Rationale: Public input suggested a desire for later season dates within the allowable framework window. These later dates also allow for WDFW staff to conduct the aerial survey count of Skagit County at the most appropriate time in relationship to typical migration chronology patterns of brant in Padilla and Samish bays. Finally, it reduces potential harvest pressure during the last weekend of the duck season as hunters have to choose between multiple opportunities, in the case the Skagit County aerial survey remains below 3,000 brant.

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

##### WAC 220-412-100 Landowner Hunting Permits.

Common theme:

- Lottery System
- Landowner Incentive Permit Program
- Permits should be an incentive to landowners who enroll in the Feel Free to Hunt Program
- The LHP program is detrimental to other access programs
- LHP landowners should enroll in other access programs
- LHP is a pay-to-play situation

Comment: Lottery System.

WDFW Response: Currently, Private Lands staff are in the process of completing the initial steps of phasing out the old Private Lands System and locating a vendor to host a new system that will replace the current reservation system and will also have a lottery system to be used for private lands opportunities.

Comment: Landowner Incentive Permit Program.

WDFW Response: This is an idea that has occasionally been brought up throughout the last few years but has not yet been further explored. This would be a very long process that would need to include a public process and investigation/analysis by department staff to determine what the benefits, opposition and/or impacts of offering this type of permit program would be. It should be noted that any changes or additions to permits provided by the department would also carry the potential of decreasing the overall number of permits available to the general public.

Comment: Permits should be an incentive to landowners who enroll in the Feel Free to Hunt Program.

WDFW Response: There were several comments that emphasized that WDFW should instead use landowner permits to incentivize landowners to enroll in the Feel Free to Hunt program. While this could result in creating more access opportunity, it would also increase the number of overall permits being allotted for landowners across the state. By increasing these permits, other permit levels (such as special permits) may need to be decreased to accommodate the increased landowner permits and to maintain healthy population objective levels. In addition, many landowners do not hunt, and others are absentees (do not live in this state). This would result in only certain landowners being incentivized, which is not a viable way to promote a program. The current LHP program requires landowners to apply and qualify, which WDFW believes is the most appropriate path forward to maintain interest in providing access but also using permits as an incentive. In addition to the comments received regarding a Landowner Incentive Permit Program, any change to incentives within the Private Lands Access Program would also require a public input process and an investigation/analysis by department staff to determine what the benefits, opposition and/or impacts of offering this type of incentive.

Comment: The LHP program is detrimental to other access programs.

WDFW Response: From 2018-2019 the Commission supported an extensive review of the LHP Program. During this time, WDFW met with landowners, the public and internal staff and a thorough review of the program was completed in late 2019. During this revision process, an examination of the other programs and the impacts of LHP program on those other programs was conducted. It was determined that some impacts were determined based on how the LHP program previously (pre-2019) operated. Adjustments and revisions to the SOP/WAC were implemented during this process and WDFW staff believe that the new requirements can prove to be a valuable and appreciated access opportunity to the public, while limiting the negative impacts to other access programs. Also, important to note, we are currently assessing, and monitoring of the revisions made in 2019 and further revisions may be required as we continue to monitor program success. If additional negative impacts to other access programs is discovered, the LHP program will be reevaluated at that time. Since the revision, we have not seen any detrimental effects to other access programs. In fact, the total enrolled acreage last year increased from 1.4 million to nearly 1.8 million.

Comment: LHP landowners should enroll in other access programs.

WDFW Response: Under the new LHP SOP/WAC requirements, it is highly advised that LHP landowners allow general season access in addition to the access for the LHP permits they receive. This allows them to score higher on their application during the application periods under the revised SOP. Three out of the five enrolled properties do this through being enrolled in a secondary access program during general seasons and the other two provide additional access during the general seasons through other methods. In addition, our other access programs do not provide the level of incentive to ensure that these large parcels do not become part of private hunting clubs and/or other types of privately run operations. Providing permits is a way to maintain public access to these lands that otherwise would not occur.

Comment: LHP is a pay-to-play situation.

WDFW Response: From 2018-2019 the Commission supported an extensive review of the LHP Program. During this time, WDFW met with landowners, the public and internal staff and a thorough review of the program was completed in late 2019. During this revision process, WDFW looked at the overall level of access being provided to the general public. Through the LHP program, there are permits that are strictly allotted to WDFW through our special permit drawings. These are at no cost to the landowner outside of the costs to submit a special permit application and/or their required licenses/tags. There are also permits allotted to the landowner, which under the program, they can choose to sell the permits. However, two out of the five LHP landowners enter these permits into raffles which are a maximum of \$25 per raffle entry. A third LHP landowner uses those permits as an incentive for its employees to escort members of the public on their lands (Centralia Mine). The remaining two LHP properties typically use those permits to aid with mitigating wildlife conflict damage and promote senior and youth hunting. WDFW staff believe that with these new revisions and the new requirements under the program, the LHP program can prove to be a valuable and appreciated access opportunity to the public.

WAC 220-415-020 (Deer General Seasons and Definitions).

Common themes:

- Desire for enlarged hunt areas
- Concern over lost opportunity
- Support for antler point restrictions
- Lack of support for antler point restrictions
- Request to harvest more antlerless deer
- Concern about harvesting antlerless deer
- Concern over tribal hunting
- Desire for peak rut general archery season
- Desire to eliminate late season hunting
- Desire to have only special permit seasons
- Desire for species-specific deer tags
- Desire for longer seasons
- Desire for early or late seasons in specific areas
- Desire for no early, or no late seasons in specific areas
- Concern over late season hunting
- Desire for general season areas to be special permit only
- Concern over predation impacts to ungulate populations

Comment: desire for enlarged hunt areas.

Changes to hunt areas (i.e., the game-management-units open to hunting) are not in WAC 220-415-020. Except in special circumstances, WDFW only proposes changes to general season hunt areas every 3 years and was last completed in 2021.

Comment: concern over lost opportunity.

WDFW recognizes that changes to general season hunt dates may be perceived as lost opportunity when a season is shortened. However, the changes to WAC 220-415-020 regarding general season hunt dates address inadvertent changes made in previous rulemaking (2021) and restore seasons to lengths anticipated from past rulemaking. Opportunity to pursue deer in general seasons is maintained and appropriately balanced among user groups (i.e., hunters of difference big game species and/or different weapon type users).

Comment: antler point restrictions (for and against).

The WDFW made no changes regarding antler point restrictions to WAC 220-415-020. Antler point restrictions (“APR”) are a commonly debated subject among hunters and wildlife managers. The WDFW has previously conducted public and hunter surveys regarding antler point restrictions (e.g., during the 2021 rulemaking process) and found general opposition to APR implementation, at least regarding white-tailed deer. Individuals that support APR implementation should engage with WDFW personnel during the next 3-year season setting process (beginning summer 2023).

Comment: harvest of antlerless deer (for and against).

The WDFW made no changes to WAC 220-415-020 related to the harvest of antlerless deer. Opportunities to harvest antlerless deer are carefully prescribed by WDFW wildlife managers to manage for population stability near objective levels.

Comment: concern over tribal hunting.

WDFW does not regulate tribal hunting. The 24 tribes that have off-reservation hunting rights in Washington set their own hunting regulations for their tribal members. Those tribes can allow members to hunt on open and unclaimed land within their ceded area or within an area proven to have been traditionally used by the tribe.

Comment: Desire for peak rut general archery seasons, desire for changes to early or late seasons, elimination of early or late seasons, longer seasons, area-specific early or late seasons, concern over late seasons, desire to have only special permit seasons, and desire for general season areas to be special permit only.

The WDFW made no changes to WAC 220-415-020 related to the above comments. Individuals that desire changes to deer general seasons are encouraged to participate in the next 3-year season setting scoping process (summer 2023).

Comment: Concern over predation impacts to ungulate populations.

The WDFW appreciates concern by the public for ungulate population health and sustainability. Predation by carnivores is normal and generally not a limitation for a hunted ungulate population. If an ungulate population is failing to meet objectives, WDFW’s Game Management Plan identifies guidelines to determine when a particular population meets the criteria of an “at-

risk” ungulate population and whether carnivore management actions are needed to promote recovery of the ungulate population.

WAC 220-415-030 (Deer Special permits).

Common themes:

- General support
- Support for reductions due to disease concerns
- Lack of support for permit change based on harvest data
- Comments addressing general seasons in addition to general permits
- Concern for youth hunt opportunities
- Comments related to antler point restrictions
- Concern over perceived lack of mature bucks
- Concern over technology leading to overharvest
- Concern over predation impacts to ungulate populations
- Concern over multi season permits
- Concern for disabled hunter opportunities
- Concern over tribal hunting
- Concern about antlerless hunting
- Concern about land access
- Desire for expanded second deer opportunities

Comment: General support.

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: support for permit reductions due to disease concerns.

Permit availability is a function of population characteristics like abundance and demographic composition. Because of disease outbreaks in deer in eastern Washington, WDFW reductions in permit availability where outbreaks occurred. When deer populations recover to objective levels, WDFW will increase permit availability accordingly.

Comment: lack of support for permit changes based on harvest data.

Monitoring wildlife populations is challenging and costly, particularly for elusive species. Wildlife managers have used harvest data to inform management decisions for at least the last five decades because those data provide powerful indices for population abundance and composition at a relatively low cost. WDFW has a robust harvest data collection program that, when used in conjunction with harvest-independent data sets or knowledge, allow managers to make well-informed decisions for harvest management.

Comment: comments addressing general seasons in addition to special permits.

The WDFW appreciates the comments related to other WAC changes and incorporated those comments in the appropriate WAC public comment section.

Comment: concern for youth hunt opportunities.

WDFW wildlife managers strive to provide special permit opportunity to a wide variety of user groups, including youth hunters. Youth special permit opportunities are vitally important for the recruitment of new hunters and WDFW managers attempt to maximize youth hunter opportunities in balance with a) the specific ungulate population's status or characteristics relative to its objective; b) other user groups such as seniors (65+) and hunters with disabilities; c) negotiation with partners or co-managers related to permit availability.

Comment: comments related to antler point restrictions.

The WDFW made no changes regarding antler point restrictions to WAC 220-415-030. Antler point restrictions ("APR") are a commonly debated subject among hunters and wildlife managers. Public that supports APR implementation should engage with WDFW personnel during the next 3-year season setting process (beginning summer 2023).

Comment: Concern over perceived lack of mature bucks.

WDFW appreciates concern for the population demography of deer in Washington. Hunters typically prefer to pursue larger, mature male deer (bucks). However, managing deer populations to produce older-aged bucks generally requires restricting overall opportunity in general seasons and special permits. Currently and historically, WDFW offers general seasons and special permits to maximize hunter opportunity. Individuals interested in proposing changes to hunting seasons or permits to manage for older age classes are encouraged to participate in the 3-year season setting process (beginning in summer 2023).

Comment: concern over technology leading to over harvest.

WDFW appreciates concern for the use of technology leading to overharvest (i.e., "fair chase"). However, no changes in WAC 220-415-030 are related to weapons or weapons technology.

Comment: concern over predation impacts to ungulate populations.

The WDFW appreciates concern by the public for ungulate population health and sustainability. Predation by carnivores is normal and generally not a limitation for a hunted ungulate population. If an ungulate population is failing to meet objectives, WDFW's Game Management Plan identifies guidelines to determine when a particular population meets the criteria of an "at-risk" ungulate population and whether carnivore management actions are needed to promote recovery of the ungulate population.

Comment: Concern over multi-season permits.

WDFW offers multi-season permits for deer, allowing a hunter to pursue deer in multiple general seasons of varying weapon types. However, the multi-season permit holder must use the legal weapon of each respective season and the multi-season permit does not affect bag limit. Therefore, overall harvest is not affected by offering multi-season permits, nor is hunter

efficiency. WDFW scrutinizes and, when necessary, proposes changes to all special permits when ungulate population characteristics are not within objective range (i.e., decreased permits when populations decrease, increased permits when populations increase).

Comment: Concern for disabled hunter opportunities.

WDFW wildlife managers strive to provide special permit opportunity to a wide variety of user groups, including disabled hunters. Disabled hunter special permit opportunities are important to WDFW and wildlife managers attempt to maximize disabled hunter opportunities in balance with a) the specific ungulate population's status or characteristics relative to its objective; b) other user groups such as seniors (65+) and youth; c) negotiation with partners or co-managers related to permit availability.

Comment: Concern over tribal hunting.

WDFW does not regulate tribal hunting. The 24 tribes that have off-reservation hunting rights in Washington set their own hunting regulations for their tribal members. Those tribes can allow members to hunt on open and unclaimed land within their ceded area or within an area proven to have been traditionally used by the tribe.

Comment: Concern about antlerless hunting.

Opportunities to harvest antlerless deer are carefully prescribed by WDFW wildlife managers to manage for population stability near objective levels. That is, when a population or sub-population's characteristics (e.g., abundance, composition) indicate growth relative to objectives, opportunity to harvest antlerless deer increases; when a population's characteristics indicate decline relative to objectives, opportunity to harvest antlerless deer is reduced or eliminated. In many areas of eastern Washington, WDFW wildlife managers have reduced antlerless deer special permit opportunities in response to hemorrhagic disease outbreaks that reduced deer abundance. When deer abundance recovers, wildlife managers will propose increases in special permit opportunity.

Comment: Concern about land access.

WDFW appreciates and understands hunter concerns regarding access to lands where deer live. WDFW wildlife managers, private lands biologists, and wildlife conflict staff are continuously working to improve land access for hunters. However, WDFW manages relatively little acreage in Washington and private landowners may not be interested in providing access to the public, an issue outside of WDFW's managerial control.

Comment: Desire for expanded second deer opportunities.

WDFW offers special permits to maximize opportunity in balance with a) the specific ungulate population's status or characteristics relative to its objective; b) other user groups (e.g., weapon types or hunter type); and c) negotiation with partners or co-managers related to permit

availability. When appropriate, WDFW wildlife managers propose increases to special permit opportunities, including 2<sup>nd</sup> deer opportunities.

WAC 220-415-040 Elk area descriptions.

Common themes:

- General support for changes
- General disagreement with changes
- Request to engage non-profit or other groups to assist with elk area fencing
- Request to allow landowners to receive tags and address conflict near elk areas
- Request to prevent private landowner tags
- Desire to allowing public access on private lands to address damage
- Concern over private landowners dictating ungulate management

Comment: General support.

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: General disagreement.

Some commenters expressed disagreement without identifying a rationale for their sentiment. WDFW considered that some commenters expressed general disagreement.

Comment: Request to engage non-profit or other groups to assist with elk area fencing.

The WDFW appreciates the comment and ideas put forth to engage with interested not-for-profit or other groups that are interested in assisting with elk management. Indeed, the WDFW routinely works with NGOs to accomplish wildlife conservation goals. Additionally, the WDFW uses volunteer assistance in conducting on-the-ground initiatives such as fence maintenance or wildlife area clean-up. The rule amendments under consideration in this rulemaking do not specify construction of elk fence, and management outcomes (i.e., reduced neighboring landowner wildlife conflict) can be accomplished with a simple adjustment of the elk area boundary, rather than fence construction.

Comment: Request to allow landowners to receive tags and address conflict near elk areas.

WDFW wildlife managers resolve wildlife conflict using several methods, which may include landowner-kill permits. In this specific instance, however, elk are causing conflict on private land because of pressure by hunters on the Elk Area, rather than causing conflict due to the attraction of agricultural crops. Landowner hunting permits are not a good tool to alleviate the current conflict issue. Rather, an adjustment of the elk area boundary (and subsequent hunting pressure) is likely to mitigate conflict.

Comment: Request to prevent private landowner tags.

Private landowner tags are not part of the changes to WAC 2120-415-040.



Comment: desire to allow public access on private lands to address damage.

WDFW encourages private landowners to allow the use of their lands by hunters to mitigate agricultural damage. However, the changes are motivated by a need to alleviate elk conflict on private land that is a function of hunter pressure on the Elk Area. By modifying the Elk Area boundary, conflict should be mitigated adequately.

Comment: Concern over private landowners dictating ungulate management.

WDFW considers all interest and user groups when formulating management or rule changes. WDFW is legislatively authorized to address agricultural damage by wildlife on private land and that authority is central to the creation and use of Elk Areas. Elk areas allow WDFW to meet management goals (e.g., reducing agricultural conflict) while offering special permit opportunities to hunters in a “win-win” situation. The specific changes in the rule do not eliminate hunting and are unlikely to influence harvest or success of hunters, but the changes should markedly reduce elk conflict with neighboring landowners.

#### WAC 220-415-050 2021-2023 Elk general seasons and definitions.

Common themes:

- General agreement with changes
- General disagreement with changes
- Dislike of spike/true spike (antler point restriction) regulations
- Desire to have elk hunting by draw only
- Concern over impact of predators
- Concern regarding tribal hunting
- Requests to expand archery season
- Requests to allow crossbow in archery
- Request for more muzzleloader seasons
- Desire for more late seasons
- Concern over land access
- Request to improve hunt quality

Comment: General support.

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: General disagreement.

Some commenters expressed disagreement without identifying a rationale for their sentiment. WDFW considered that some commenters expressed general disagreement.

Comment: Dislike of spike/true spike (antler point restriction) regulations.

Spike and true-spike regulations are implemented to allow the escapement of yearling bull elk, thereby producing mature, branch-antlered bull elk in subsequent years. Before these regulations, recruitment of spikes into the branch-antlered class was low and WDFW was unable to meet

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bull-to-cow objectives. Ratios of bulls to cows were consistently in the single digits. As a consequence, productivity is reduced, and populations can decline. Unless hunting pressure is significantly reduced, spike/true spike regulations are necessary to maintain population sustainability at objective levels.

Comment: Desire to have elk hunting by draw only.

Currently Washington hunters have general season and special permit (i.e., limited entry) opportunities. WDFW did not propose eliminating general seasons for elk in this proposal. Major changes to hunting seasons or structures are evaluated during the 3-year season setting process (initiating summer 2023). Individuals interested in proposing changes to the hunting seasons and structure are encouraged to participate in the 3-year process.

Comment: Concern over impact of predators.

The WDFW appreciates concern by the public for ungulate population health and sustainability. Predation by carnivores is normal and generally not a limitation for a hunted ungulate population. If an ungulate population is failing to meet objectives, WDFW's Game Management Plan identifies guidelines to determine when a particular population meets the criteria of an "at-risk" ungulate population and whether carnivore management actions are needed to promote recovery of the ungulate population.

Comment: Concern regarding tribal hunting.

WDFW does not regulate tribal hunting. The 24 tribes that have off-reservation hunting rights in Washington set their own hunting regulations for their tribal members. Those tribes can allow members to hunt on open and unclaimed land within their ceded area or within an area proven to have been traditionally used by the tribe.

Comment: Requests to expand archery season.

Major changes to hunting seasons or structures are evaluated during the 3-year season setting process (initiating summer 2023). Individuals interested in proposing changes to the hunting seasons and structure are encouraged to participate in the 3-year process.

Comment: Requests to allow crossbow in archery.

Archery weapons restrictions are outlined in a different WAC (220-414-070). Changes to weapons restrictions are evaluated during the 3-year season setting process (initiating summer 2023). Individuals interested in proposing changes to weapons restrictions are encouraged to participate in the 3-year process.

Comment: Request for more muzzleloader seasons.

Weapon splits are calculated using an allocation formula that distributes permits to each group to equalize the harvest and give each weapon type similar harvest potential. Allocating more

muzzleloader permits would have to take away opportunity from the other weapon groups. Special permits allow the Department the ability to regulate hunting opportunities that are not sustainable using a general season format. Some examples include opportunities to harvest females, to hunt during the peak breeding season, and to hunt big-game species that occur in low numbers (e.g., bighorn sheep, moose, and mountain goats). Hunters consistently express a desire to have these types of opportunities and a special permit system allows WDFW to do that without having a negative effect on the population. As such, the number of special permits offered is directly related to the status of a given population and at levels WDFW believes are sustainable.

Comment: Desire for more late seasons.

WDFW attempts to maximize hunter opportunity through general seasons and special permits, which both currently offer late season options. The season length and/or permit availability reflects what WDFW wildlife managers consider sustainable based on population characteristics (e.g., abundance).

Comment: Concern over land access.

WDFW wildlife managers, private lands biologists, and wildlife conflict staff are continuously working to improve land access for hunters. However, WDFW manages relatively little acreage in Washington and private landowners may not be interested in providing access to the public, an issue outside of WDFW's managerial control.

Comment: Request to improve hunt quality.

WDFW manages elk to maximize hunter opportunity, which typically results in higher hunter densities and may reduce an individual's perception of overall hunt quality (as defined by harvest success or animal attributes like large antlers). However, WDFW does offer special permit opportunities under the "quality" category where hunters can expect lower relative hunter densities and greater potential for harvest success. Many of these quality hunts are offered in areas where general seasons are limited or nonexistent, resulting in less hunting pressure or higher abundance of mature antlered elk. Improving hunt quality (as defined above) would necessitate major changes to general seasons (e.g., a reduction in season length) and individuals interested in proposing those changes are encouraged to participate in the 3-year season setting process (initiating summer 2023).

#### WAC 220-415-060 2021 Elk special permits.

Common themes:

- General support for changes
- General disagreement with changes
- Antler point restrictions (e.g., spike only regulation)
- Dislike of permit reductions
- Concern over tribal hunting
- Concern over predation impacts to ungulate populations
- Request for date or season changes on specific hunts

- Request for antlerless hunting by special permit only
- Request for increased antlerless opportunities
- Concern for lost opportunity
- Preference for adjusting permit dates rather than eliminating permits
- Desire to go to special permit (draw only) seasons
- Support for disease management

Comment: General support.

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: General disagreement.

Some commenters expressed disagreement without identifying a rationale for their sentiment. WDFW considered that some commenters expressed general disagreement.

Comment: Antler point restrictions (e.g., spike only regulation).

Spike and true-spike regulations are implemented to allow the escapement of yearling bull elk, thereby producing mature, branch-antlered bull elk in subsequent years. Before these regulations, recruitment of spikes into the branch-antlered class was low and WDFW was unable to meet bull-to-cow objectives. Ratios of bulls to cows were consistently in the single digits. As a consequence, productivity is reduced, and populations can decline. Unless hunting pressure is significantly reduced, spike/true spike regulations are necessary to maintain population sustainability at objective levels.

Comment: Dislike of permit reductions.

WDFW recognizes that reduction in permit availability is generally not favored by hunters. Opportunity to pursue elk by special permit is a function of population characteristics (e.g., abundance or composition) to maintain populations near objective levels. For example, when populations exhibit signs of decline, permit availability is reduced to promote population growth. Conversely, when populations grow or exceed objective levels, permit opportunity is liberalized. WDFW wildlife managers strive to provide maximum opportunity while maintaining management or population objectives.

Comment: Concern over tribal hunting.

WDFW does not regulate tribal hunting. The 24 tribes that have off-reservation hunting rights in Washington set their own hunting regulations for their tribal members. Those tribes can allow members to hunt on open and unclaimed land within their ceded area or within an area proven to have been traditionally used by the tribe.

Comment: Concern over predation impacts to ungulate populations.

The WDFW appreciates concern by the public for ungulate population health and sustainability. Predation by carnivores is normal and generally not a limitation for a hunted ungulate population. If an ungulate population is failing to meet objectives, WDFW's Game Management Plan identifies guidelines to determine when a particular population meets the criteria of an "at-risk" ungulate population and whether carnivore management actions are needed to promote recovery of the ungulate population.

Comment: Request for date or season changes on specific hunts.

WDFW encourages individuals that are interested in proposing specific changes to hunt dates to participate in the rulemaking cycle ahead of initial filing (January 2023) by contacting the Wildlife Program customer service staff ([wildthing@dfw.wa.gov](mailto:wildthing@dfw.wa.gov)).

Comment: Request for antlerless hunting by special permit only.

Antlerless elk opportunity is currently offered through general seasons and special permits. Antlerless harvest is closely scrutinized by WDFW wildlife managers and opportunity is restricted when populations exhibit declines or are chronically below objective. Limiting antlerless opportunity to only special permits is a major change to general seasons and was not by WDFW in 2022 rulemaking. Individuals interested in having antlerless opportunities removed from general seasons are encouraged to participate in the 3-year season setting process (imitating in summer 2023), when major changes are evaluated.

Comment: Concern for lost opportunity.

WDFW recognizes that reduction in permit availability is generally not favored by hunters. Opportunity to pursue elk by special permit is a function of population characteristics (e.g., abundance or composition) to maintain populations near objective levels. For example, when populations exhibit signs of decline, permit availability is reduced to promote population growth. Conversely, when populations grow or exceed objective levels, permit opportunity is liberalized. WDFW wildlife managers strive to provide maximum opportunity while maintaining management or population objectives.

Comment: Preference for adjusting permit dates rather than eliminating permits.

WDFW wildlife managers strive to offer maximum permit opportunity balanced by what the population can support and other factors, such as hunter crowding. The Mt. Adams, Goat Rocks, and Carlton quality bull permits are in the Mount St Helens elk herd area, which has exhibited significant declines in abundance. Further, complaints of hunter crowding and hunt opportunities not matching expectations have increased for these hunts in the last several years. An adjustment of hunt dates may have alleviated issues of crowding, but the reduced success rates would likely have been unaffected. To offset some of the loss of these permit opportunities, WDFW managers increased the number of permits available in the South Rainier and Packwood quality elk permits. Should elk abundance increase in the future, WDFW may re-propose the Mt. Adams, Goat Rocks, and Carlton quality bull permits.

Comment: Desire to go to special permit (draw only) seasons.

Changes to general season structure are not by WDFW in WAC 220-415-060. Moving from the current 'opportunity' model that provides unlimited-entry general seasons with limited special permit opportunity to a completely limited-entry model (i.e., where hunting participation is limited to a certain number of hunters every year) is a major change in harvest management and regulation. Major changes are evaluated during 3-year season setting cycles and individuals interested in a change to limited-entry only are encouraged to participate in that process early on (initiating summer 2023).

Comment: Support for disease management.

WDFW wildlife managers appreciate the support expressed by the public and hunters related to disease management. WDFW has initiated a management pilot project to address treponeme-associated hoof disease that leverages hunter interest in assisting with wildlife management. WDFW wildlife managers will evaluate this program continually with feedback from the public and hunters.

WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.

Common themes:

- General agreement over changes
- General disagreement over changes
- Sentiment that the change in the Parker Lake hunt area is unnecessary
- Concern over lost opportunity due to hunt area change
- Concern that the hunt area will not be restored post-timber harvest
- Support for expanding hunt areas/opportunity (Cheney hunt area)

Comment: General support.

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: General disagreement.

Some commenters expressed disagreement without identifying a rationale for their sentiment. WDFW considered that some commenters expressed general disagreement.

Comment: Sentiment that the change in the Parker Lake hunt area is unnecessary.

The change in hunt area is motivated by WDFW's commitment to offer a hunting experience that meets expectations. For once-in-a-lifetime hunts like moose permits, the expectation is for a very high-quality hunt. Therefore, WDFW has removed the Parker Lake area from the hunt area to ensure hunt quality. When timber operations cease, WDFW anticipates that the Parker Lake area will return as a part of the permit hunt area.

Comment: Concern over lost opportunity due to hunt area change.

The removal of the Parker Lake area is in response to a large-scale timber harvest operation. Once the operation ends, WDFW anticipates that the Parker Lake area will return as part of the permit hunt area. The 2022 permit area still offers expansive areas to pursue moose.

Comment: Concern that the hunt area will not be restored post-timber harvest.

The removal of the Parker Lake area is in response to a large-scale timber harvest operation. Once the operation ends, WDFW anticipates that the Parker Lake area will return as part of the permit hunt area.

Comment: Support for expanding hunt areas/opportunity (Cheney hunt area).

WDFW appreciates the support provided for expanding the Cheney hunt area. WDFW is committed to expanding opportunity where feasible for moose and other hunt opportunities.

#### WAC 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.

Common themes:

- General support
- Concern over impacts of disease to bighorn
- Opposition to limiting youth opportunities
- Concern about opportunity loss
- Concern about point accrual (aka "point creep")
- Preference for pausing hunts, rather than eliminating
- Concern over predation impacts to ungulate populations
- Concern regarding tribal hunting
- Desire for archery only bighorn hunts
- Concern for limiting opportunity for disabled hunters
- Concern about domestic livestock risk to bighorn

Comment: General support.

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Concern over impacts of disease to bighorn.

WDFW appreciates public concern for the viability and sustainability of all wildlife, including bighorn sheep. The largest threat to bighorn sheep is a pneumonia caused by bacteria common in domestic livestock (*Mycoplasma ovipneumoniae*). WDFW wildlife managers strive to prevent outbreaks from occurring in bighorn populations by working with domestic livestock operators in proximity to bighorn sheep range. Unfortunately, controlling the movement of both domestic animals and bighorn sheep is challenging and outbreaks occasionally occur. Wildlife disease is extremely challenging, and few management strategies exist once a disease is established within a population. WDFW is working with scientists and bighorn managers to test a promising management strategy for clearing pneumonia from bighorn sheep populations called "test and remove". WDFW will implement this new strategy in 2022 and monitor results through 2025.

Comment: Opposition to limiting youth opportunities.

WDFW wildlife managers strive to provide special permit opportunity to a wide variety of user groups, including youth hunters. Youth special permit opportunities are vitally important for the recruitment of new hunters and WDFW managers attempt to maximize youth hunter opportunities in balance with a) the specific ungulate population's status or characteristics relative to its objective; b) other user groups such as seniors (65+) and hunters with disabilities; c) negotiation with partners or co-managers related to permit availability.

Comment: Concern about opportunity loss.

WDFW offers special permits to maximize opportunity in balance with a) the specific ungulate population's status or characteristics relative to its objective; b) other user groups (e.g., weapon types or hunter type); and c) negotiation with partners or co-managers related to permit availability. When populations decline, permit availability declines as well to balance harvest with population sustainability. Due to recent outbreaks of pneumonia, bighorn populations have declined and WDFW's permit recommendations reflect that decline.

Comment: Concern about point accrual (aka "point creep").

WDFW appreciates the concern by hunters regarding point accrual due to a limited number of special permits. Unfortunately, demand for hunting opportunity exceeds supply and wildlife managers must balance harvest with population sustainability.

Comment: Preference for pausing hunts, rather than eliminating.

WDFW recognizes the perception of lost opportunity and a preference for pausing, rather than eliminating, hunt opportunities for bighorn sheep. However, due to an outbreak of pneumonia in 2021, WDFW wildlife managers determined that harvest of bighorn, especially female bighorn, should be curtailed to allow the population to recover from pneumonia-induced mortality losses. When the population recovers to objective levels, permit levels will be increased to levels that allow sustainable harvest.

Comment: Concern over predation impacts to ungulate populations.

WDFW appreciates concern by the public for ungulate population health and sustainability. Predation by carnivores is normal and generally not a limitation for a hunted ungulate population. If an ungulate population is failing to meet objectives, WDFW's Game Management Plan identifies guidelines to determine when a particular population meets the criteria of an "at-risk" ungulate population and whether carnivore management actions are needed to promote recovery of the ungulate population.

Comment: Concern regarding tribal hunting.

WDFW does not regulate tribal hunting. The 24 tribes that have off-reservation hunting rights in Washington set their own hunting regulations for their tribal members. Those tribes can allow



members to hunt on open and unclaimed land within their ceded area or within an area proven to have been traditionally used by the tribe.

Comment: Desire for archery only bighorn hunts.

Bighorn sheep permit holders may use any legal weapon during their hunt. Hunter densities are exceptionally low during bighorn sheep hunts, so archery hunters currently have very little competition from other weapon types.

Comment: Concern for limiting opportunity for disabled hunters.

WDFW wildlife managers strive to provide special permit opportunity to a wide variety of user groups, including disabled hunters. Disabled hunter special permit opportunities are important to WDFW and wildlife managers attempt to maximize disabled hunter opportunities in balance with a) the specific ungulate population's status or characteristics relative to its objective; b) other user groups such as seniors (65+) and youth; c) negotiation with partners or co-managers related to permit availability.

Comment: Concern about domestic livestock risk to bighorn.

The largest threat to bighorn sheep is a pneumonia caused by bacteria common in domestic livestock (*Mycoplasma ovipneumoniae*). WDFW wildlife managers strive to prevent outbreaks from occurring in bighorn populations by working with domestic livestock operators in proximity to bighorn sheep range. Unfortunately, controlling the movement of both domestic animals and bighorn sheep is challenging and outbreaks occasionally occur. Wildlife disease is extremely challenging, and few management strategies exist once a disease is established within a population. WDFW is working with scientists and bighorn managers to test a promising management strategy for clearing pneumonia from bighorn sheep populations called "test and remove". WDFW will implement this new strategy in 2022 and monitor results through 2025. Additionally, WDFW is contributing funding to outreach activities to educate local communities and livestock producers about the risk of pneumonia to bighorn sheep population viability.

#### WAC 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.

Common themes:

- General support for the changes
- General disagreement with the changes
- Request for improved monitoring or research
- Request for expanded hunting opportunity
- Disagreement regarding conflict reduction hunt elimination
- Desire to allow hunters to conduct mountain goat depopulation on the Olympic Peninsula
- Concern regarding point accrual and point transfer among categories

Comment: General support.

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: General disagreement

Some commenters expressed disagreement without identifying a rationale for their sentiment. WDFW considered that some commenters expressed general disagreement.

Comment: Request for improved monitoring or research

WDFW is committed to improving and advancing monitoring and research on mountain goats in Washington. Previously, WDFW research scientists developed cutting-edge aerial survey techniques to estimate mountain goat abundance. However, mountain goat survey techniques are expensive and logistically challenging due to the landscapes they inhabit. WDFW continues to work with scientists and other wildlife managers to improve survey techniques and better understand mountain goat habitat use.

Comment: Request for expanded hunting opportunity.

Unfortunately, the demand for mountain goat hunt opportunity far exceeds the supply. Mountain goat populations are sensitive to harvest when populations are small. WDFW must carefully allocate special permit opportunity in balance with population abundance or other characteristics like sex ratios. WDFW's permit levels reflect local population characteristics and what managers believe is a sustainable harvest.

Comment: Disagreement regarding conflict reduction hunt elimination.

WDFW is committed to working with the National Park Service and USDA Forest Service to depopulate mountain goats from the Olympic Peninsula, a species not native to the Peninsula. Simultaneously, WDFW is committed to maximizing hunting opportunity. As such, WDFW offered conflict reduction special permits to assist in depopulation while offering hunting opportunity. However, as mountain goat numbers have become very low on the Olympic Peninsula, WDFW wildlife managers did not feel a hunt could be offered with a realistic opportunity for success. As such, WDFW wildlife managers have elected to pause the conflict reduction special permits until more is learned about goat numbers and space-use post-depopulation efforts of 2022.

Comment: Desire to allow hunters to conduct mountain goat depopulation on the Olympic Peninsula.

WDFW is supporting the National Park Service and USDA Forest Service in their efforts to depopulate the Olympic Peninsula of mountain goats. To do so WDFW offered conflict reduction special permits that provided much desired hunting opportunity and assisted partner agency management goals. As the number of mountain goats on the Olympic Peninsula has become very small, the efficacy of hunting diminishes. Partner agencies will continue aerial removal efforts in 2022. After those efforts, WDFW will evaluate whether to offer additional conflict reduction special permits.

Comment: Concern regarding point accrual and point transfer among categories.

WDFW appreciates the concern by hunters regarding point accrual due to a limited number of special permits. Unfortunately, demand for hunting opportunity exceeds supply and wildlife managers must balance harvest with population sustainability. Preference points are not transferred among categories.

WAC 220-416-060 2022-2023 Migratory gamebird seasons and regulations.

Common themes:

- General support
- General concerns related to sea duck and brant hunting, specifically request not to close the sea duck and brant seasons.
- A desire for limited user-entry for limited species such as sea duck and brant to maintain long-term opportunity.
- Concerns over the activities of waterfowl guides targeting limited species such as sea ducks and brant.
- A desire for an increased bag limit on northern pintail.
- Questioning of monitoring surveys and data.
- Desire for improved harvest record card compliance.
- Requests for alterations to season dates for certain Goose Management Areas.

Comment: General support.

WDFW acknowledges and appreciates the general support expressed by the majority of commenters.

Comment: General concerns related to sea duck and brant hunting, specifically request not to close the sea duck and brant seasons.

WDFW appreciates the concern regarding potential closures to sea duck and brant hunting seasons, however the proposal was more specific than a complete closure. Sea duck harvest management is based upon a 5% harvest threshold, assessed by each sea duck type, including scoter, goldeneye, long-tailed duck and harlequin duck. Brant harvest management is evaluated by most recent winter counts in each of the four counties, including: Clallam, Pacific, Skagit, and Whatcom. Harvest effort and efficiency differs by county and species of pursuit; therefore, the use of harvest percentage thresholds attempts to balance available resource and long-term opportunity.

Comment: A desire for limited user-entry for limited species such as sea duck and brant to maintain long-term opportunity.

WDFW appreciates the suggestion to re-evaluate a limited-user entry model for limited species such as sea duck and brant to maintain long-term opportunity. Waterfowl management in Washington has never had to utilize a limited-user entry system, instead allowing all waterfowl hunters an opportunity to pursue certain waterfowl species or groups through adjustments in days or bag-limit, however harlequin duck was already at a single-bird season-limit but increases in the total number of sea duck hunters pursuing harlequin duck exceeded the 5% harvest threshold,

requiring additional limitations to ensure long-term opportunity. WDFW will explore alternatives to resume harvest in a limited-user entry model, but that was not possible for the 2022-23 season considerations.

Comment: Concerns over the activities of waterfowl guides targeting limited species such as sea ducks and brant.

WDFW appreciates the concern regarding waterfowl guide activities targeting limited species such as sea ducks and brant. WDFW is also concerned with the notable increase in this type of activity but does not currently hold authority to regulate waterfowl guiding operations in open water. WDFW will be exploring alternatives to better identify and quantify the harvest by guided outfits on these limited species in Washington.

Comment: A desire for an increased bag limit on northern pintail.

WDFW appreciates the suggestion to increase the bag limit on northern pintail, however northern pintail harvest management is guided by the USFWS National Harvest Strategy and federal framework. Harvest alternatives are informed by the population size, as monitored through extensive aerial surveys, and current understanding of population demographic of this species, as monitored by banding and reported harvest recoveries. This information is evaluated each August by the USFWS and Flyways.

Comment: Questioning of monitoring surveys and data.

WDFW appreciates the concern regarding the extensiveness of monitoring surveys and availability of data to inform harvest management decisions, however the efforts to inform these decisions have been in place for decades and are a collaborative effort between state and federal partners. WDFW implements rigorous survey design protocols to monitor population, with guidance from flyway management plans and review by technical teams familiar with nuances of surveying waterfowl in open water scenarios. WDFW relies upon waterfowl hunters to submit harvest reports to estimate total annual harvest. These monitoring efforts are reviewed annually and shared with flyway partners in the decision-making process.

Comment: Desire for improved harvest record card compliance.

WDFW appreciates the suggestion to improve harvest record card compliance and will be pursuing methods to improve compliance rates for these harvest record cards, especially for unique and limited species like sea duck and brant.

Comment: Requests for alterations to season dates for certain Goose Management Areas.

WDFW appreciates the suggestion to consider modifications to season dates for certain Goose Management Areas, however this is a topic that are more appropriate to be addressed during the 3-year season setting cycle.

All comments were reviewed and considered in the final proposals of migratory gamebird seasons to align with national strategies, flyway management plans, and appropriate season and bag-limit considerations to provide all waterfowl hunters opportunities in Washington state. A full evaluation will be made for revision of the Game Management Plan and future 3-year season setting cycle.