# Concise Explanatory Statement

# 2024-2026 Three-year Season Setting

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

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

WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five. GMU 501-LINCOLN (Lewis, Thurston, Pacific, and Grays Harbor counties)

WAC 220-412-100 Landowner hunting permits.

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

WAC 220-414-060 Muzzleloading firearms.

WAC 220-414-080 Hunting—Hunter orange and hunter pink clothing requirements. *Proposed changes denied.*

WAC 220-414-100 Crossbow requirements.

WAC 220-415-010 Deer area descriptions.

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

WAC 220-415-030 2023 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 2023 Elk special permits.

WAC 220-415-070 2023 Moose seasons, permit quotas and areas.

WAC 220-415-120 2023 Bighorn sheep seasons, permit quotas, and areas.

WAC 220-415-130 2023 Mountain goat seasons, permit quotas, and areas.

WAC 220-416-010 2021-2022, 2022-2023, 2023-2024 Small game and other wildlife seasons and regulations.

WAC 220-416-060 2023-2024 Migratory gamebird seasons and regulations.

WAC 220-417-030 Wild animal trapping.

## **Rules repealed as part of this rulemaking:**

WAC 220-411-050 Carnation Farms Game Reserve (King County).

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

 N/A

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

The Washington Department of Fish and Wildlife (WDFW) has been mandated by RCW 77.04.012 to provide recreational hunting opportunity and preserve, protect, perpetuate, and manage wildlife populations. WDFW attempts to maximize the public recreational hunting opportunities of all citizens, including juvenile, disabled, and senior citizens. It is this mandate that sets the overall policy and direction for managing hunted wildlife. Hunters and hunting will continue to play a significant role in the conservation and management of Washington's wildlife.

Focusing on the scientific management of the game populations, harvest management, and other significant factors affecting the game populations, as well as accepting public comment, is how department staff recommend the adjustments or additions/removals to the Washington Administrative Codes (WACS).

By evaluation of multiple factors stated above, department staff recommend a three-year proposal to the Fish and Wildlife Commission, or in this case, the Commission delegated the decision to the Director, to serve as rules to guide hunters and set the season dates, permits, etc.

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

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

This amendment to the pelt sealing rule requires hunters and trappers to submit harvested bobcat lower jaws for aging purposes to receive a seal. Aging data will help WDFW better manage the bobcat population by allowing us to obtain the age class ratio over time. Additionally, this amendment will allow Department staff estimate survival of the population with age data using population reconstruction methods for better bobcat population management.

**WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five. GMU 501-LINCOLN (Lewis, Thurston, Pacific, and Grays Harbor counties)**

The amendment to WAC 220-410-050 arranges habitats of similar types into respective GMUs (503 is the Valley Bottom and 516 is U.S. Forest Service). The amendment allows WDFW to address elk agriculture conflict by consolidating the ownership of a cooperative landowner into a single GMU and providing additional hunting opportunities (late archery) within the area of change. The amendment also provides additional public land elk hunting during Late archery season because the Spears Unit of the Cowlitz Wildlife Area is now included in GMU 503. Approximately 550 acres are affected by the rule change.

**WAC 220-411-050 Carnation Farms Game Reserve. (King County)**

The Carnation Farms Game Reserve was established in 1974, on what was at the time, entirely privately owned land. After detailed review of the definition and intent of RCW 77.08.010 subsection 32 and 33, and with support from the ownership, board and management staff of Carnation Farms, a repeal of the game reserve status provides an opportunity to cooperatively address current wildlife concerns and management goals.

**WAC 220-412-100 Landowner hunting permits.**

The amendments to WAC 220-412-100 allow additional public hunting access to private lands enrolled in the Landowner Hunting Permit (LHP) program. The LHP amendment is designed for private lands held by an individual or corporation that provides a hunting opportunity for the public. This opportunity which otherwise would not exist, allows selected hunters access to private lands for hunting opportunity and/or that helps resolve crop damage problems. In this adopted rule, additional permits were allocated to two LHP properties due to ownership changes and additional acreage added to an LHP. Additional hunting access will also assist with crop damage in these areas.

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

This amendment creates a mandatory harvest record card for the harlequin duck permit that will help improve compliance rate for mandatory harvest reports of brant, sea duck and harlequin duck permit by establishing the reporting date closer to the end of allowable season dates towards these waterfowl species.

**WAC 220-414-060 Muzzleloading firearms.**

The amendment to the muzzleloading firearm rule was mainly motivated by seniors and requests from the hunting public because vision impairment can restrict the use of muzzleloading equipment for hunting purposes.

One-power scopes provide a clearer sight window without magnifying the target in much the same way eyeglasses correct someone’s vision (i.e., they make the target clearer, not bigger). Commercial availability of one-power scopes is low outside of the “red dot” scope category. Red dots sights are non-magnifying (i.e., 1x) battery-powered optics that function by concentrating and reflecting a light (typically red) from within the scope housing onto the user’s eye. Red dot scopes do not project any light, laser, or other emission toward the target.

Because red dot scopes are battery powered, this proposal also amends WAC language to permit electronic aiming devices on muzzleloading equipment if those devices are red dot or similar electronically powered devices that do not exceed one power magnification.

Hunter participation, retention, and recruitment may benefit by allowing red dot and one-power scopes on muzzleloading equipment.

**WAC 220-414-100 Crossbow requirements.**

The amendment to WAC 220-414-100 allows the use of crossbow equipment during muzzleloader seasons to broaden the weapon choice during this season. The Department anticipates a potential increase in hunter participation during the muzzleloader season.

The second amendment to this rule was not approved by the Director. The proposal came to us as a petition and was moved forward though the season setting process. The petition requested Washington Department of Fish and Wildlife (WDFW) to permit the use of crossbow equipment by senior hunters (i.e., aged 65 and older) during archery season.

**WAC 220-415-010 Deer area descriptions.**

The Simcoe Unit of the Klickitat Wildlife Area was initially small, and a deer area designated within the Unit allowed Department staff to better manage hunter access and use. The Unit acquired more area over time, but no more acquisitions are planned. The final management plan (a product of public engagement) for the wildlife area recommends deer general seasons, as opposed to the current system of special permits within a Deer Area. As such a deer area is no longer necessary. The Department eliminated Deer Area 5382 (Simcoe) within the Klickitat Wildlife Area in association with related changes that would permit general season deer hunting in this unit.

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

The primary purpose of the amendment is to set the dates for the 2024-2026 deer general seasons and thereby retain deer general season hunting opportunity in accordance with the Department’s mandate to provide recreational hunting opportunity and preserve, protect, perpetuate, and manage wildlife populations, RCW 77.04.012. Specific amendments are listed under individual WACs below:

* + 1. Legal deer for early archery eastern Washington mule deer from “3 point minimum or antlerless” to “3 point minimum” in GMUs 145, 149, 163, 178, 181, 186, 204 through 250, and 254 through 278.
		2. Legal deer for early archery eastern Washington white tailed deer from “3 point minimum or antlerless” to “3 point minimum” in GMUs 145, 149, 172, 178, 181, and 186.
		3. Legal deer for late archery eastern Washington mule deer and eastern Washington White Tailed deer from “3 point minimum or antlerless” to “3 point minimum” in GMUs 145, 163, 178, 272, and 278.
		4. Legal deer for early muzzleloader eastern Washington white tailed deer from “3 point minimum or antlerless” to “3 point minimum” in GMUs 145 and 149.
		5. Removed the “hunters 65 and over and disabled” and “youth” white-tailed deer modern firearm general seasons in GMUs 145, 149, 154, deer area 1010, and 178.
		6. Expanded the existing eastern Washington mule deer modern firearm, early archery, and late muzzleloader general season hunt areas in GMU 382 by eliminating the language “except closed in deer Area 5382” and implement a late-archery, 3-point minimum general season in GMU 382.

**WAC 220-415-030 2023 Deer special permits.**

The adopted amendments are to ensure clarity and consistency in special hunt timing.

Date adjustments of most special permits.

Participants in this Ringold special hunt have experienced poor success rates. Expanding the legal deer available to harvest should improve hunter success.

* Adjusted the Buck category Archery special hunt “Ringold” from “3 pt. min.” to “Any buck”.

Amendments are intended to promote population recovery of deer populations in Okanogan Highlands mule deer management zone (GMU 204) and the east slope cascades mule deer management zone (GMUs 209 through 250) by reducing harvest mortality of antlerless mule deer. Similarly, mule deer populations in north-central Washington have recently been impacted by intense environmental conditions. (E.g., drought, extreme winter conditions, disease, and expansive wildfire.) To rebuild these populations, they will be managed to maximize adult female survival, which is facilitated by reductions in antlerless harvest. These changes standardize reductions in mule deer antlerless opportunity across user groups (e.g., youth, senior, etc.) and offset by allowing the harvest of any buck deer or antlerless white-tailed deer, which is not a species of concern in these units.

* + - Changed legal deer from “antlerless” to “Any buck, white-tailed antlerless” for the east Okanogan, Wannacut, Sinlahekin, Chewuch, Pearrygin, Gardner, Pogue, Chiliwist, and Alta modern firearm youth, senior, and hunters with disabilities category special permits; the east Okanogan youth and hunters with disabilities category muzzleloader special permits; the Wannacut, Pogue, Chiliwist, and Alta youth category muzzleloader special permits; and the Sinlahekin and Gardner hunters with disabilities category muzzleloader special permits.

These hunts occur within the east elope Cascades (i.e., Chiwawa, Entiat, Swakane, Mission hunts) and Columbia Plateau mule deer management zone (i.e., Palisades and Bridgeport hunts), which have recently been impacted by intense environmental conditions (e.g., drought, extreme winter conditions), disease, and/or expansive wildfire. Changing the legal deer from “antlerless” to “any deer” will reduce harvest of antlerless deer, which will promote population growth and stability.

* + - Changed the legal deer from “antlerless” to “any deer” for the Chiwawa, Entiat, Swakane, Mission modern firearm youth, senior (65+), and hunters with disabilities category special permits; the Mission muzzleloader youth category special permit; and the Palisades and Bridgeport modern firearm youth category special permits.

These Buck category hunts (St Andrews and Moses Coulee) offset a separate adopted rule to reduce permit numbers of the St Andrews and Moses Coulee 2nd deer category antlerless special hunts in a broad effort to promote population growth (i.e., by reducing antlerless harvest mortality).

* + - Created a “St Andrews” modern firearm Buck category special hunt from Nov. 1-20 with four permits in GMU 254 and create a “Moses Coulee” muzzleloader Buck category special hunt from Nov. 25 - Dec. 3 with three permits in GMU 269.

The deer populations in GMUs 272 and 278 have experienced impacts from disease and environmental conditions (e.g., drought), prompting the proposed restriction of general season archery antlerless harvest to promote population The Department offset the general season opportunity loss by offering “Beezley” and “Wahluke” special hunts each with early and late season opportunity.

* + - Created two “Beezley” archery antlerless special hunts in the antlerless category, GMU 272, with one hunt from Sept. 1-27 and a later hunt from Nov. 20 - Dec. 8., each with 40 permits. Create two “Wahluke” archery antlerless special hunts in the antlerless category, GMU 278, with one hunt from Sept. 1-27 and a later hunt from Nov. 20 - Dec. 8., each with 40 permits.

The amendment to eliminate Simcoe deer special permits is associated with the elimination of Deer Area 5382 “Simcoe” to establish general season hunting opportunity in the Simcoe Unit of the Klickitat Wildlife Area according to the Area’s management plan.

* + - Eliminated the “Simcoe” deer special permits (i.e., Buck category modern firearm, archery, and muzzleloader; youth category modern firearm).

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

Elk Area 1021 has been adopted to assist Department staff in addressing elk agricultural damage. Elk damage complaints have increased in the Fruitland Valley, but at times and/or in areas not currently available to state hunters (e.g., outside of general seasons). An elk area helps area managers concentrate harvest pressure in the area experiencing the most damage issues, thereby alleviating agricultural damage by elk.

A clerical adjustment intended to clarify that antlerless elk harvest in Elk Area 1013 is limited to private lands only.

And Elk Area 3723 facilitates hunting on the Hanford Arid Lands Ecology (ALE) Reserve of the Hanford Site, which is home to the Rattlesnake Hills herd. Access at the ALE will remain highly restricted which necessitates the creation of an elk area to define the approved hunt area.

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

Amendments to WAC 220-415-050 clarify the definition of a spike and true-spike antlered bull elk. Abnormal antler growth can result in a branch-antlered bull fitting the definition of a spike bull (i.e., an antler growing below the point of attachment), which is contrary to the spirit of the rule. This change is intended to assist with enforcing the Department’s hunting restrictions and regulations.

Expansion of the current hunt area of GMUs 127 and 130 is to improve elk damage mitigation on private land haystacks, agricultural fields, and feed for domestic livestock. Under past regulations, elk move outside of the hunt area into adjacent GMUs, causing additional damage and exacerbating the issue. With the additional GMUs (133, 136, 139, and 142) distribution of hunting pressure will reduce elk damage.

The Department estimated the Blue Mountains elk population was ~3,900 animals in 2022, the most recent comprehensive survey, which is significantly below the population objective of 5,500 elk (objective range is 4,950-6,050 elk). With this amendment, WDFW plans to reduce antlerless elk harvest mortality to promote population growth.

In GMU 249, to increase equity among user groups by matching legal elk restrictions, the department removed muzzleloader hunters true spike only as the legal elk during the early general season in GMU 249.

GMUs 520, 550, 560 and 572 are part of the Mount St Helens elk herd area, a population that is currently below historic levels (~1,522 elk in 2022, down from ~2,943 elk estimated in 2016). The decline is attributable to several factors, including the impacts of treponeme-associated hoof disease which affects this population more than any other herd in Washington (approximately 1/3 of the animals in these GMUs). WDFW research has demonstrated that the primary source of mortality for healthy adult female elk in these GMUS is hunting. Elimination of antlerless elk hunting in these GMUs will give the population the greatest possible opportunity to increase. Concurrently, removing hunter harvest from the segment of the female population that does not have hoof disease will increase survival rates on this especially important segment of the elk population.

This amendment is designed to balance antlerless elk harvest among Modern Firearm, Muzzleloader and Archery hunters proportional to hunter participation by weapon type in GMUs 506 and 530. An associated amendment to elk special permits (WAC 220-415-060), will offset the loss of general season antlerless opportunity by an increase in antlerless elk special permits in the affected GMUs.

**WAC 220-415-060 2023 Elk special permits.**

The amendments to WAC 220-415-060 ensures clarity and consistency in special hunt timing.

Associated with the amendment made within WAC 220-415-050 (2021-2023 Elk general seasons and definitions), to promote population growth by reducing antlerless elk harvest. Elk agricultural damage mitigation in GMU 154 is also an agency priority, and these five will assist the Department staff with mitigating damage while still maintaining the overall objective of promoting population growth by reducing a large majority of antlerless elk harvest.

The elk disabled hunter opportunity has historically overlapped with archery deer general season. Shifting the dates later will avoid overlap of user groups using (potentially) different weapon types in the same season.

The “Region 5” Hunters with Disabilities Category elk special is intended to address damage issues while providing opportunity in the Hunters with Disabilities category. Only one hunter has been successfully deployed in the past several years due to the dynamic and sporadic nature of agricultural damage response and, as such, this hunt is not serving its intended purpose and staff recommend its removal.

Region 5 includes two GMUs, 382 and 388, that require an eastside elk tag to hunt whereas the remaining Region 5 GMUs require a westside elk tag. To assist with addressing agricultural damage issues in GMUs 382 and 388, department staff created a “region 5 east” antlerless special hunt in the youth Category for eastside tag holders.

The department estimated the monitored portion of the Mount St Helens elk population was ~1,522 elk in 2022, down from ~2,943 elk estimated in 2016. The decline is attributable to several factors, including the impacts of treponeme-associated hoof disease which affects this population more than any other herd in Washington (approximately 1/3 of the animals in these GMUs). WDFW research has demonstrated that the primary source of mortality for healthy adult female elk in these GMUS is hunting. Reduction of antlerless elk hunting in these GMUs will give the population the greatest possible opportunity to increase. Concurrently, removing hunter harvest from the segment of the female population that does not have hoof disease will increase survival rates on this especially important segment of the elk population.

Also, an amendment related to change (f) in WAC 220-415-050 (2021-2023 Elk general seasons and definitions), which restricts late archery elk harvest to antlered only (i.e., 3pt min) in GMUs 506 and 530. This amendment offsets the restriction to bull-only harvest by offering antlerless special permits in the affected GMUs in balance with archery hunter participation.

Julia Butler Hansen (JBH) National Wildlife Refuge staff (US Fish and Wildlife Service) have requested that the Department offer master hunter hunts on JBH Refuge for 3 antlerless elk focused on animals displaying clinical signs of treponeme-associated hoof disease. The purpose of this hunt is to reduce the prevalence of this disease within the Refuge. The USFWS Ecological Assessment requires that these permits be in the master hunter category and that they be done with muzzleloaders only.

The Department is reducing the days available to hunting for the Nooksack Quality category special hunt to better match bull elk availability and meet the objectives of a “quality” hunt per the quality category definition (i.e., low hunter numbers, greater potential for success, and good hunt timing). The allotted days available to hunting still provide ample opportunity and good timing despite an overall reduction in days.

In the Williams Creek GMU (673), survey data indicates poor calf recruitment which may limit population growth and future performance. Reducing antlerless harvest will promote future calf production and population stability and/or growth. Permit success for the Wynoochee archery permits is low (~5% or lower in the last 3 years of data) and habitat conditions in the unit are poor. The permit reduction is intended to better match elk availability for harvest.

The Department proposed the creation of the elk special hunt permit named “Rattlesnake Mountain” however, this portion of the proposal was not approved by the Director and will not move forward. Federal permitting for the access to the associated land was no longer available for the 2024 season.

**WAC 220-415-070 2023 Moose seasons, permit quotas and areas.**

WDFW amended the WAC description from “2023” to “2024”. This is a clerical change and is intended to ensure WAC text accurately reflects the correct license year.

Also, we modified the hunt boundary description from “GMU 117, except Parker Lake” to “GMU 117, for all 49 Degrees North special permit hunts in the any bull moose, antlerless, 65+ senior (antlerless), and disabled hunter (antlerless) categories (a total of five hunts). This change reflects modified federal land access management with the potential effect of increased hunting access for the affected special hunt permits. Federal land managers have adjusted land access restrictions in the area of the Parker Lake moose area (moose area 3) but the requirement for a land use special permit is retained.

**WAC 220-415-120 2023 Bighorn sheep seasons, permit quotas, and areas.**

The first rule amendment to WAC 220-415-120 created an Any Ram hunt named “Wenaha” in GMU 169 to provide hunting opportunity in this GMU. This bighorn population (i.e., Wenaha) occupies areas of Washington and Oregon and are co-managed by the respective state and tribal wildlife management agencies or governments. The “Wenaha” special hunt opportunity alternates between the states according to partner negotiations, with Washington slated to offer this hunt in 2024.

Next, we increase the “Lincoln Cliffs Whitestone” adult ewe category bighorn special permit from one to two permits. Adjusted the season dates for this hunt from October to September. The Whitestone hunt unit is almost entirely private land, and the Department has received complaints from landowners about the Whitestone bighorn sub-herd causing high agricultural losses. Department surveys show that the minimum Lincoln Cliffs herd count has increased over the past two years, well above the herd objective of 70 adults. In November 2023, a survey found most (89%) of the Whitestone sub-herd of the population occurring on private land. The Department changed the hunt dates to September, before most crop damage occurs.

Department staff decreased Chelan Butte adult ewe permits from four to one. Decreased Chelan Butte A adult ewe permits from three to two. Created two adult ewe permits in the Swakane population (dates October 11-31). The Chelan Butte population has declined from a minimum count of 251 bighorn in 2017 to a minimum count of 84 in 2022. By contrast, the Swakane population is currently above management objective (population minimum count spring 2022 = 195; objective range is 130-170). Reducing adult ewe permits in Chelan Butte promotes population growth, while adding adult ewe opportunity in Swakane mitigates the loss of opportunity in Chelan Butte.

And finally, we decreased all Cleman Mountain ewe-only special permits to zero. The Cleman Mountain bighorn sheep population is part of a disease management study that was initiated in winter 2022-2023. The Department is monitoring abundance and composition ratios as response variables in this research design. As such, harvest of ewes within the Cleman Mountain population, which is a control population, will bias the research results and potentially delay important disease management action in nearby and distant Washington bighorn sheep populations.

**WAC 220-415-130 2023 Mountain goat seasons, permit quotas, and areas.**

The single amendment changed the WAC description from “2023” to “2024” with the anticipated effect of providing mountain goat special permit opportunity in 2024.

**WAC 220-416-010 2021-2022, 2022-2023, 2023-2024 Small game and other wildlife seasons and regulations.**

The primary purpose amendments to WAC 220-416-010 is to set the dates and bag limits for the 2024-2026 small game and other wildlife seasons and thereby retain small game and other wildlife season hunting opportunities in accordance with the Department’s mandate to provide recreational hunting opportunity and preserve, protect, perpetuate, and manage wildlife populations, RCW 77.04.012

Additional changes: WDFW updated small game and other wildlife harvest season dates for the next three years. We also increased turkey hunting opportunity in GMUs 382, 388, and 568-578 by one additional either sex turkey during the fall general season.

The turkey population range has continued to expand in these areas due to the mild spring of 2023, so this additional opportunity will help keep turkey conflicts down in these areas.

And finally, this rule clarifies which GMUs do not allow bobcat hunting at night, including GMUs 101, 105, 108, 111, 113, 117, 203, 204, 215, 218, 224, 231, 233, 242-247, 250, 426 and 450. The purpose of clarifying these GMUs are to restrict night hunting for bobcat in the Lynx Management Zones plus GMU 108 to avoid the accidental killing of lynx in areas where they may be present.

**WAC 220-416-060 2023-2024 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. This season packages proposed 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.

Surveys of the breeding waterfowl were conducted along traditional survey area transects in Alaska and Canada and were used in combination with aerial surveys conducted by crews in British Columbia, Washington, Oregon, and California to help inform season dates and bag-limit structure for the 2024-2025 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/PSEMP) conducted by WDFW. In a re-evaluation of the sea duck harvest strategy, 5% or less of the winter index continues to be appropriate for scoters, goldeneye and long-tailed ducks, however current hunter numbers and effort the current harlequin duck strategy of below 5% of the adult winter population is no longer achievable without a limited-user entry mechanism. Based on this strategy evaluation there are no proposed changes compared to the 2023-2024 season for sea ducks, except for providing 38 harlequin duck permits through a limited-user entry application process that keeps harlequin duck harvest at 3% of the adult breeding pairs when the winter index is below 4,772 harlequin duck (1996-2018 Long Term Average), and accounts for wounding loss in determining the available number of permits. Specifically, the most recent winter index (3-year average) is 4,259 harlequin ducks, with a 0.887 adult proportion and 0.443 female proportion, or a 1,679 wintering pair index. Since the winter index is below the long-term average, a harvest rate of 3% (Goudie et al. 1994) and a wounding loss of 30% (Koneff et al. 2017) are both applied resulting in 38 available harlequin duck permits (4,259 winter index \* 0.887 prop-adult \* 0.443 prop-female \* 0.03 harvest rate \* 0.76923 wounding loss correction = 38.62; rounded down to the nearest whole number). The most recent 3-year average from the Winter Brant Survey for Skagit County remains below 3,000 brant (3yr-avg. = 2,760) which requires the Skagit County brant hunt start closed until the January 2025 count is available to inform the number of hunt days available.

**WAC 220-417-030 Wild animal trapping.**

The amendment to WAC 220-417-030 requires trappers to visually check their traps once each day. This was previously not clear in rule, so this change will clarify the language regarding authorized take of furbearer animals by not only requiring that trapped animals be removed within 24 hours, but also by requiring trappers to visually check their traps once each day. Most states require this, but this rule was not explicit in Washington. Additionally, this change eliminates the ability for trappers to solely rely on trap transmitters for checking their traps. Trap transmitters can fail to submit a signal in the backcountry, which could leave a trapped animal in the trap for over 24 hours and is unlawful.

## Differences between the text of the proposed rule and the rule as adopted:

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

None.

**WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five. GMU 501-LINCOLN (Lewis, Thurston, Pacific, and Grays Harbor counties)**

None.

**WAC 220-412-100 Landowner hunting permits.**

None.

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

None.

**WAC 220-414-060 Muzzleloading firearms.**

None.

**WAC 220-414-080 Hunting—Hunter orange and hunter pink clothing requirements.**

This proposed rule was not approved by the Director and will not be adopted.

**WAC 220-414-100 Crossbow requirements.**

A portion of this rule was not approved and adopted by the Director. The use of crossbows by seniors during archery season was not approved, this language was omitted from the proposal and not adopted in the final WAC.

**WAC 220-415-010 Deer area descriptions.**

None.

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

The department made minor clerical change to late archery general season dates to ensure consistent year-to-year general season timing.

**WAC 220-415-030 2023 Deer special permits.**

Due to recently implemented access restrictions associated with the Lopez Island 2nd deer special permit, reduction in permit levels was warranted. Department staff reduced the deer category special hunt permits from 150 to 130.

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

None.

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

None.

**WAC 220-415-060 2023 Elk special permits.**

The department removed the creation of the elk special hunt permit named “Rattlesnake Mountain” after federal permitting for the access to the associated land was no longer anticipated by the 2024 season.

The department made minor clerical changes to a small number of special hunt dates to ensure consistent year-to-year season timing (e.g., to ensure consistent timing with corresponding general seasons) or to correct incorrect hunt dates (e.g., when a hunt’s dates did not reflect the current license year).

**WAC 220-415-070 2023 Moose seasons, permit quotas and areas.**

None.

**WAC 220-415-120 2023 Bighorn sheep seasons, permit quotas, and areas.**

The Chelan Butte adult ewe special hunt was moved from the adult ewe category to the youth category to ensure youth opportunity.

**WAC 220-415-130 2023 Mountain goat seasons, permit quotas, and areas.**

Adjusted the hunt dates for the Goat Rocks west and east hunts: In 2023, the season for two special permits was pushed from Sept. 1 to Oct. 1 to accommodate a department planned mountain goat capture. The capture was canceled with no plans to reinitiate, hence a need to revert the opening date to past dates. This is a clerical change that we missed during the initial edits and changed after the CR-102 was filed.

**WAC 220-416-010 2021-2022, 2022-2023, 2023-2024 Small game and other wildlife seasons and regulations.**

None.

**WAC 220-416-060 2023-2024 Migratory gamebird seasons and regulations.**

None.

**WAC 220-417-030 Wild animal trapping.**

None.

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

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

**Comment themes:** General support and opposition, concern about monetary loss to skulls by removing the lower jaw, concern to only require a tooth instead of the jaw, concern for other options for aging including using incisors rather than canines, concern about difficulty in compliance with a “clean and dried” jaw, concern that this will impact taxidermy opportunity, concern about returning lower jaws to hunters to complete their skull after removing the tooth, concern that removing the jaw will ruin the preservation of their harvest, concern about staff training for removing the tooth, requests for an incentive for the skull or jaw, concern that data will be biased by trapper selection, and requests to make it a voluntary program instead of mandatory.

**Comment:** Concern about monetary loss to skulls by removing the lower jaw.

**Response:** The department appreciates the feedback received on this proposal This age data will help WDFW to better manage the bobcat population by allowing us to obtain an age class of harvested bobcats and track that age class ratio over time. Additionally, we can estimate survival of the population with age data using population reconstruction methods for better bobcat population management.

**Comment:** Concern to only require a tooth instead of the jaw, other options for aging.

**Response:** The canine tooth is the most accurate and affordable tooth to use for aging bobcats. Bobcat teeth are difficult to remove without cooking the lower jaw to loosen the bone around the tooth and its root. Therefore, any tooth used will need to be removed by WDFW staff, and the jaw can be returned to the individual who submitted it post processing.

**Comment:** Concern about difficulty in compliance with a “clean and dried” jaw.

**Response:** It’s preferred for hunters and trappers to submit clean and dried jaws to WDFW for processing. However, it is possible for the hunter or trapper to have the jaw removed at an agency office when bringing the pelt in for sealing.

**Comment:** Concern that this will impact taxidermy opportunity.

**Response:** A replacement canine can be molded and inserted back into the jaw for taxidermy purposes.

**Comment:** Concern about returning lower jaws to hunters to complete their skull after removing the tooth, concern that removing the jaw will ruin the preservation of their harvest.

**Response:** Bobcat teeth are difficult to remove without cooking the lower jaw to loosen the bone around the tooth and its root. Therefore, any tooth used will need to be removed by WDFW staff, and the jaw can be returned to the individual who submitted it post processing.

**Comment:** Concern about staff training for removing the tooth.

**Response:** Subject Matter Experts in this area will work with WDFW staff at regional offices to be able to remove the jaw without damaging the skull.

**Comment:** Requests for an incentive for the skull or jaw.

**Response:** The department has also considered an incentive for the jaws. Our current compromise is to send back the jaws to those who request them to be returned. Jaw return requests must be made upon jaw submission. We will monitor these requests over the next three years to determine if this method will continue or change in the future.

**Comment**: Concern that data will be biased by trapper selection.

**Response**: The department is considering submitting a survey to bobcat trappers and hunters following tooth collection to ask about potential harvest selection biases that may occur so that we can account for those biases in our data collection.

**Comment** Requests to make it a voluntary program instead of mandatory.

**Response:** The department decided that making jaw collection mandatory is our best route to achieve the department’s goals for monitoring the bobcat population in the state. If the department obtains the necessary data over the next three years to guide population management, the department may consider relaxing the rule in the future to make it a voluntary submission. For now, the department is making jaw submission mandatory to receive a seal.

**WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five. GMU 501-LINCOLN (Lewis, Thurston, Pacific, and Grays Harbor counties)**

**Comment: G**eneral (non-specific) comments in support and in general opposition.

**Response:** The Department has no response to non-specific comments on the proposed rule change.

**WAC 220-411-050 Carnation Farms Game Reserve (King County).**

**Comment:** Strong support for removal (repeal) of the Carnation Farms Game Reserve.

**Response:** WDFW appreciates the support from the Carnation Farms ownership, board, and management staff to remove the Game Reserve status from this private land ownership as the current status hinders the ability of the private landowner and WDFW to cooperatively address current wildlife concerns.

**Comment:** General misunderstanding of Game Reserve intent.

**Response:** WDFW appreciates this confusion as the term Game Reserve is rooted in Revised Code of Washington (RCW) language that extends the definition of “hunt”. Specifically, “game reserve” is defined as a closed area where hunting for all wild animals and wild birds is prohibited. The term “to hunt” is defined as an effort to kill, injure, harass, harvest, or capture a wild animal or wild bird. These definitions overlayed on privately owned lands are not in line with intent of the Game Reserve designation, and without a contractual agreement, it has been deemed inappropriate for WDFW to hold this type of management authority over privately owned lands.

**WAC 220-412-100 Landowner hunting permits.**

**Comment theme:** General comments against the LHP program in general. Some commenters request that we do not issue bull permits to landowners. Some commenters are against privatization of public wildlife and/or free hunting not fee hunting stating that these permits should be available to the public.

**Response:** WDFW recognizes the concerns with the program. Some of the comments above are misconceived and education for the public is needed. The LHP Hunt is a hunting opportunity which otherwise would not exist and a mitigation tool. The Wildlife Program supports this program as it is a tool to mitigate for crop damage as well as part of the Fish and Wildlife Commission policy.

The landowner permits cannot be sold. If landowners charge an access fee, they waive all potential crop damage claims. Staff work to ensure a large portion of the permits are for the public.

**Comment:** General support for additional hunting opportunities including youth hunting.

**Response**: WDFW strives to allow for additional hunting opportunities outside permit hunts and encourage landowners to allow for youth hunting opportunities.

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

**Comment themes:** general support, desire to eliminate paper and use online application, desire to keep mail-in reporting option, desire to eliminate harvest reporting, desire for harsher penalty for those that do not report harvest.

**Comment:** General support.

**Response:** WDFW acknowledges and appreciates the general support expressed by the majority of commentors for improving mandatory harvest reporting for migratory gamebirds to inform decision-making.

**Comment:** Mandatory harvest report mechanism (desire to eliminate paper and use online application, desire to keep mail-in reporting option, desire to eliminate harvest reporting)

**Response:** WDFW acknowledges and appreciates the considerations and concerns over mandatory harvest reporting required of migratory gamebirds. The species and scenarios that have prompted the use of a mandatory harvest report are those migratory gamebirds that other harvest monitoring methods are insufficient to capture harvest estimates or keep tabs on harvest pressure being experienced in particular portions of the state. While a physical harvest report card is often viewed as burdensome, the responsibility of appropriate harvest management should be supported by all that pursue migratory gamebirds in Washington state. New tools and applications will allow for more streamlined ways of reporting harvest and preserving efforts that may not currently be documented, but those efforts take time and will be available at an undetermined date at the time of this proposal.

**Comment:** Concerns over compliance and desire for harsher penalty for those that do not report harvest.

**Response:** WDFW acknowledges and shares the concerns over compliance rates. While we do have means to account for differing compliance rates, it behooves all waterfowl hunters to submit their mandatory harvest reports. Penalties for non-compliance beyond or instead of the current administrative fee will require either legislative support for fee changes or policy changes allowing for an eligibility requirement rather than the administrative fee. Either of these options will require broader scoping, support, and time to implement, but WDFW will continue to pursue all alternatives to improve compliance on these mandatory harvest reports for migratory gamebirds.

**WAC 220-414-060 Muzzleloading firearms.**

**Comment themes:** General support, general opposition, concern for technological advancement on weapons, concern for illegal use.

**Response:** The Department appreciates the input on this socially driven proposal to allow 1x scopes on muzzleloading equipment. The Department recognized the concern for allowing technological advancements into hunting equipment, which is why the proposal limited magnification to 1x as a reasonable compromise between those that desire improved sight clarity and those that prefer less technology on primitive weapons. Concern for illegal use is addressed by clearly enforceable WAC language.

**WAC 220-414-080 Hunting—Hunter orange and hunter pink clothing requirements.**

This proposed rule was not approved by the Director and will not be adopted.

**WAC 220-414-100 Crossbow requirements.**

**Comment themes:** General support and opposition, concern about weapons technology, concern about illegal take.

**Response:** The Department appreciates the input on this socially driven proposal to allow crossbows during muzzleloader seasons and to permit the use of crossbows by seniors during archery seasons. The Department recognizes the concern for allowing expanded use of crossbows during hunting seasons. However, crossbow use continues to be a minority weapon in Washington and is unlikely to significantly change participation or harvest where it is allowed. Concern for illegal use is addressed by the clear, enforceable WAC language.

**WAC 220-415-010 Deer area descriptions.**

**Comment themes:** General support, appreciation for improved access, appreciation of less complication in regulations, concern for disturbance of wildlife.

**Response:** The Department recognizes a desire to reduce complication of regulations and improved hunting access, which this proposal accomplishes. The Department shares concerns regarding wildlife disturbance through increasing human access, but this change is unlikely to significantly alter the amount of human disturbance in the Simcoe Unit, which is already open to the public (i.e., this proposal only changes the hunting restrictions during deer seasons).

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

**Comment themes:** General support for rebuilding populations, general opposition, concern for lost opportunity and its return in the future, support but a desire to increase opportunity elsewhere, concern regarding equity among user groups, desire to keep status quo, concern about other factors (e.g., predation).

**Response:** The Department appreciates the feedback on the proposed changes to deer general seasons.

**Comment:** Concern for lost opportunity and its return in the future, and support but a desire to increase opportunity elsewhere.

**Response:** Hunting opportunity is primarily a function of the population’s ability to support harvest. When a population is below objective criteria, restrictions are enacted to promote population rebuilding. When a population rebuilds, the Department will recommend expanded opportunity in accordance with its mandate and population sustainability.

**Comment: C**oncern regarding equity among user groups.

**Response:** Equity among user groups is an important goal for the Department, and biologists work diligently to balance hunting opportunities fairly. Unfortunately, archery seasons are more impacted by this proposal because general season antlerless deer opportunity is primarily only available during archery seasons.

**Comment:** Desire to keep status quo.

**Response:** The Department must manage wildlife populations and harvest to ensure the species and hunting opportunity are viable into the future, which necessitates routine regulation adjustments.

**Comment:** Concern about other factors (e.g., predation).

**Response:** Although not directly related to any proposed rule change, 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 2023 Deer special permits.**

**Comment themes:** General support and opposition, support for limiting antlerless harvest to rebuild populations, desire for increased permit availability, concern for lost opportunity, concern regarding permit opportunity for small user groups (e.g., “youth” permits), concern regarding other factors (e.g., predation).

The Department appreciates the feedback received on this proposal.

**Comment:** Support for limiting antlerless harvest to rebuild populations.

**Response:** While the department strives to minimize changes to permit levels year-to-year, changes are necessary to manage ungulate populations to within objective range(s). Typically, WDFW reduces special permit availability, especially antlerless opportunity, when a population exhibits a decline in abundance or demographic ratio (e.g., male to female; juvenile to female) to levels outside of objective range. Reduced permit opportunity reduces the harvest pressure on the population, allowing the population to rebuild to objective range.

**Comment:** Desire for increased permit availability.

**Response:** The Department offers special permits to maximize opportunity in balance with:

• The specific ungulate population’s status or characteristics relative to its objective.

• Other user groups (e.g., weapon types or hunter type).

• Negotiation with partners or co-managers related to permit availability.

 WDFW will propose increases in permit levels if the population is above objective range(s).

**Comment:** Concern for lost opportunity, concern regarding permit opportunity for small user groups (e.g., “youth” permits).

**Response:** When reductions are proposed, WDFW biologists attempt to compensate for reduced opportunity by offering additional permit opportunity in another category that has lower average success rates (e.g., “youth” category). Further, the Department is mandated to provide opportunity to all citizens, including youth, senior, and disabled hunters.

**Comment:** Concern regarding other factors (e.g., predation).

**Response:** Although not directly related to any proposed rule change, 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.

Lastly, WDFW sets some permit levels in negotiation with tribes or land managers. In these instances, permit levels reflect population status, as above, and local considerations tribal harvest/seasons or land-manager capacity to provide public access.

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

**Comment themes:** General support and opposition, concern regarding public land access, concern about harvest opportunities on private land.

**Response:** The Department appreciates public comment on this proposal. This proposal does not modify access on public or private land and makes no change to the hunting opportunities on private land.

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

**Comment themes:** General support and opposition, support for simplifying regulations, support for addressing private agricultural conflict, dislike of antler restrictions, concern about master hunter opportunity, concern for lost hunting opportunity, and concern for factors influencing elk populations (e.g., habitat, predation).

**Comment:** General support and opposition

**Response:** WDFW acknowledges and appreciates the general support and opposition expressed by the commenters.

WDFW acknowledges and appreciates the general support expressed by the majority of commenters for using annual monitoring data and using the flyway management process to inform decision-making.

**Comment:** Dislike of antler restrictions.

**Response:** Antler restrictions are necessary for some eastside elk hunt areas to ensure adequate bull escapement and the viability of elk populations into the future.

**Comment:** Concern about master hunter opportunity.

**Response:** The Department is mandated to address agricultural conflict caused by wildlife. Master hunter opportunities are not offered in the vein of traditional recreational pursuit, however, because master hunter permits are meant to address human-wildlife conflict issues – usually agricultural damage. Master hunters provide WDFW staff with a well-trained and, importantly, readily available group of hunters that can be directed to address specific issues, which usually occur on private land.

**Comment: S**upport for simplifying regulations.

**Response:** WDFW appreciates the support from the public comment process.

**Comment: S**upport for addressing private agricultural conflict.

**Response:** WDFW appreciates the support from the public comment process.

**Comment:** Concern for lost hunting opportunity and factors influencing elk population (e.g., habitat, predation).

**Response:** Although not directly related to any proposed rule change, 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 220-415-060 2023 Elk special permits.**

**Comment Summary:** General support and opposition, support for reduced cow harvest, support for improving elk population size, desire for increased permit opportunity, concern about other factors (e.g., predation).

**Comment: S**upport for reduced cow harvest.

**Response:** While WDFW strives to minimize changes to permit levels year-to-year, changes are necessary to manage ungulate populations to within objective range(s). Typically, WDFW reduces special permit availability, especially antlerless opportunity, when a population exhibits a decline in abundance or demographic ratio (e.g., male to female; juvenile to female) to levels outside of objective range. Reduced permit opportunity reduces the harvest pressure on the population, allowing the population to rebuild to objective range.

Lastly, WDFW sets some permit levels in negotiation with tribes or land managers. In these instances, permit levels reflect population status, as above, and local considerations tribal harvest/seasons or land-manager capacity to provide public access.

**Comment: S**upport for improving elk population size.

**Response:** WDFW appreciates the support of the public.

**Comment:** Desire for increased permit opportunity.

**Response:** WDFW offers special permits to maximize opportunity in balance with:

• The specific ungulate population’s status or characteristics relative to its objective.

• Other user groups (e.g., weapon types or hunter type).

• Negotiation with partners or co-managers related to permit availability.

WDFW will propose increases in permit levels if the population is above objective range(s). When reductions are proposed, WDFW biologists attempt to compensate for reduced opportunity by offering additional permit opportunity in another category that has lower average success rates (e.g., “youth” category).

**Comment:** Concern about other factors (e.g., predation).

**Response:** Although not directly related to any proposed rule change, 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 220-415-070 2023 Moose seasons, permit quotas and areas.**

**Comment themes:** General support and opposition, desire to increase permit opportunities, disapproval of hunting this species.

**Response:** The Department appreciates the feedback received on this proposal. Moose hunting opportunity is typically a “once in a lifetime” opportunity and is heavily restricted due to the low abundance of moose relative to other ungulates like deer and elk. The Department offers moose hunting within limits that do not impair the population’s sustainability and in accordance with its mandate to offer recreational hunting opportunity to all Washington citizens.

**WAC 220-415-120 2023 Bighorn sheep seasons, permit quotas, and areas.**

**Comment themes:** General support and opposition, desire to increase permit opportunities, concern for hunting female bighorn, disapproval of hunting this species.

**Comment:** Desire to increase permit opportunities.

**Response:** Bighorn sheep hunting opportunity is typically a “once in a lifetime” opportunity and is heavily restricted due to the low abundance of bighorn relative to other ungulates like deer and elk. The Department offers bighorn hunting within limits that do not impair the population’s sustainability and in accordance with its mandate to offer recreational hunting opportunity to all Washington citizens.

**Comment:** Concern for hunting female bighorn.

**Response:** The Department sets bighorn sheep harvest opportunities conservatively to ensure that a population is not overharvested. The Department only issues female harvest when the population it (i.e., the population is large enough to support female harvest), or when management goals require female harvest (e.g., when reducing a population to minimize disease spread).

**Comment:** Disapproval of hunting this species.

**Response:** The Department recognizes that the public values bighorn in many ways, including for non-hunting recreation. The Department does manage bighorn sheep to maximize the enjoyment and recreation value of bighorn for the entire public, which includes hunting where it is not detrimental to the population. Providing hunting recreational

opportunity is also part of the Department’s mandate.

**WAC 220-415-130 2023 Mountain goat seasons, permit quotas, and areas.**

**Comment themes:** General support and opposition, desire to increase permit opportunities, support for increasing mountain goat populations.

**Response:** The Department appreciates the feedback received on this proposal. Like most moose and bighorn sheep hunting, mountain goat hunting is a “once in a lifetime” opportunity and is heavily restricted due to the low abundance of mountain goats relative to other ungulates. Mountain goat populations in many areas have recently exhibited declines, necessitating the currently low permit levels.

**WAC 220-416-010 2021-2022, 2022-2023, 2023-2024 Small game and other wildlife seasons and regulations.**

**Comment themes:** General support, opposition of restriction on night hunting of bobcat, concerns with the Hungarian partridge and chukar seasons not aligning, concerns with turkey tag prices, turkey hunting opportunity, and the need for more turkeys.

**Comment:** Opposition of restriction on night hunting of bobcat.

**Response:** The department appreciates the support received for this proposal. Night hunting of bobcat is only restricted in GMUs that may overlap with the Canada lynx range. Night hunting of bobcat may still occur throughout the majority of the GMUs in the state.

**Comment:** Concerns with the Hungarian partridge and chukar seasons not aligning.

**Response:** The chukar population was assessed as having a sufficient population for extending the season to January 31. We did not find the same results for Hungarian partridge. Therefore, if we were to realign the dates for Hungarian partridge and chukar, we would align them back to January 15 and remove the extra two weeks of opportunity for chukar that currently exists in eastern Washington. To not reduce opportunity, we are leaving the season dates for Hungarian partridge and chukar the same as in recent years. We may consider moving the closing date of chukar season back to January 15 in the future if these unaligned dates become an issue.

**Comment:** Concerns with turkey tag prices.

**Response:** Turkey tag prices are cheaper in Washington than in most of the western US states at only $15.90 per resident tag. The department and its constituents believe that reducing the price of turkey tags any lower would devalue the turkey as a game species.

**Comment:** Concerns with not enough turkey hunting opportunity.

**Response:** Hunters can purchase up to seven turkey tags in a year to harvest across the state. The department considers that to be a liberal big limit for turkeys, which is needed in areas where turkey are numerous and causing conflict with humans (e.g., Spokane). For example, we increased the bag limit to two either sex turkey during the fall general season in GMUs 382, 388, and 568-578 because of turkey expansion in the area and to reduce conflict.

**Comment:** Concern that there is a need for more turkeys.

**Response:** Due to the potential for an overabundance of turkeys in some areas of the state, the department will not be translocating any additional turkeys into Washington right now.

**WAC 220-416-060 2023-2024 Migratory gamebird seasons and regulations.**

**Comment themes:** General support, desire for an increased bag limit on northern pintail, desire for a higher number of harlequin duck permits, desire to limit harlequin duck permits to residents of Washington only, desire to keep harlequin duck closed due to population status, desire to regulate sea duck hunting guide services.

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 is being made for revision of the Game Management Plan and future three-year season-setting cycles.

**Comment:** General support.

**Response:** WDFW acknowledges and appreciates the general support expressed by the majority of commenters for using annual monitoring data and using the flyway management process to inform decision-making.

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

**Response:** 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:** Sea duck harvest management (desire for a higher number of harlequin duck permits, desire to limit harlequin duck permits to residents of Washington only, desire to keep harlequin duck closed due to population status, desire to regulate sea duck hunting guide services).

**Response:** WDFW appreciates the concern around sea duck harvest management and the re-evaluation and proposal of a limited-user entry system to allow harlequin duck harvest. This will be the first time that Washington has utilized a limited-user entry system for waterfowl management, instead of allowing all waterfowl hunters to pursue a species of interest. The number of allowable permits uses additional information and considerations with the goal of long-term population status and continued harvest opportunity. This new waterfowl harvest approach will be monitored closely through the mandatory harvest report requirements. Future three-year season-setting processes will continue to review and evaluate this approach as more experience and monitoring data inform our understanding of this unique waterfowl management system in Washington state.

**WAC 220-417-030 Wild animal trapping.**

**Comment:** General support, general opposition, requests to add the use of cellular game cameras to the rule or to allow the use of satellite cameras or sensors, misunderstandings about applicability of the rule.

**Response:** The department appreciates the feedback received for this proposal. The purpose of this proposal was to clarify the language regarding authorized take of furbearer animals by not only requiring that trapped animals be removed within 24 hours, but also by requiring trappers to visually check their traps once each day. Most states require this, but this rule was not explicit in Washington. While checking game cameras is included as a way to check your traps in person, satellite and cellular transmission of real time information can fail in the backcountry. If these services fail, it could leave a trapped animal in the trap for over 24 hours, which is unlawful. To clarify, this rule applies to all trapping, even on private lands.