

## **Concise Explanatory Statement Fall black bear hunting regulations**

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

WAC 220-415-090                      Fall black bear hunting 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### **Rules repealed as part of this rulemaking:**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:**

This rule change proposal specifies what the black bear hunting season dates and bag limits are for each of the 14 Black Bear Management Units (BBMU), as well as where it is illegal to harvest black bear in Washington. The amendments make it unlawful to kill cubs (less than one-year old) and females with cubs. The amendments also include the list of GMUs where the Bear ID Test is required. Lastly, the amendments specify that mandatory bear tooth samples must be submitted to the department by December 1.

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

The amendments will provide a more robust framework for WDFW to manage black bears in Washington to maintain stable populations, except in urban areas where the social carrying capacity for bears is lower. It allows the department to protect cubs and females with cubs, to require the bear ID test in all potential places where a grizzly bear may disperse, and it makes tooth submission enforceable by adding a deadline.

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

GMU 330 was added to the list of GMUs in the Central Cascades East BBMU.

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

Comment Themes: General support; general opposition; no changes to existing rule, currently sustainable

Response: The Department is grateful for your input on Fall black bear hunting seasons and regulations.

Comment Themes: Too many bears causing ungulate declines, increased conflict, and timber damage; increase harvest; use a higher %female mortality rate; reduce conflict removals

Response: Department staff considered your recommendations, but instead suggested a scientifically-derived harvest framework for managing black bears for population stability (except in urban and non-habitat areas) while offering harvest opportunity, which is the department's mandate. The season is adaptable to vary by two-week intervals or greater to reduce unnecessary female mortality in areas above the intrinsic growth rate for female black bears (i.e., > 8%). There is evidence that hunting pressure reduces conflict, therefore we use the fall general harvest season to help manage conflict.

Comment Themes: Use a September season opening date; use an Aug 1 opening date in all units; extend season into late buck hunts

Response: Department staff considered your recommendations, but instead suggested a scientifically-derived harvest framework for managing black bears for population stability (except in urban and non-habitat areas) while offering harvest opportunity, which is the Department's mandate. The season is adaptable to vary by two-week intervals or greater to reduce unnecessary female mortality in areas above the intrinsic growth rate for females (i.e., > 8%). The seasons may be adjusted again at three-year season setting (in 2027) and may have different start dates depending on the analysis of female mortalities over the prior three-year period.

Comment Themes: Create a spring bear permit system as a management tool, data supports it

Response: While some areas experience underharvest in the fall, the commission made a motion in November 2022 to not approve any recreational harvest of bears in the spring. There is evidence that hunting pressure reduces conflict, therefore we use the fall general harvest season to help manage conflict.

Comment Themes: Manage at the GMU level

Response: Department staff suggested a scientifically-derived harvest framework for managing black bears for population stability at the management unit scale, while offering harvest opportunity.

Comment Themes: No bear hunting, increase protections

Response: Black bears are an important piece of our ecological landscape. The department manages the black bear population for multiple uses, including conservation of the species, hunting opportunity, viewing opportunity, tribal use, and so on.

Comment Themes: Allow hound hunting and baiting for controlled harvest management

Response: While hound hunting and baiting may make specific harvest of adult males more accurate, hound hunting and baiting for bear are illegal in Washington (RCW 77.15.245).

Comment Themes: Too difficult to identify if sow has cubs when afield without the use of hounds or bait, increases noncompliance rate unnecessarily

Although it may be difficult to identify if a female bear has cubs, it is important to practice patience and to learn to identify the sex of the animal while afield. WDFW's website on Black Bear has resources that teach you how to identify the sex of the bear, which is helpful in determining first if it's a female, then if the female has cubs nearby. If there are cubs nearby, hunters should not shoot. Most hunters follow this practice. Additionally, hound hunting and baiting for bear are illegal in Washington (RCW 77.15.245).

Comment Themes: Don't require bear ID test in unnecessary GMUs

Response: The bear ID test is being required in GMUs where grizzly bear dispersal have or may occur in the near future. It is best to start increasing awareness of this dispersal before an accident happens and someone shoots a grizzly. Knowledge is the key, and making this a requirement increases hunter knowledge when afield.