



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017)
(Implements RCW 34.05.360)

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STATE OF WASHINGTON
FILED

DATE: April 16, 2025

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WSR 25-09-078

Agency: Washington Department of Fish and Wildlife (WDFW) P2024-16C

Effective date of rule:

Permanent Rules

☒ 31 days after filing.

☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: The purpose of the rule changes is to modify regulations in accordance with best management practices for the prevention and mitigation of chronic wasting disease impacts to deer, elk, and moose.

Citation of rules affected by this order:

New:

Repealed:

Amended: WACs 220-400-040, 220-413-030, 220-413-100, 220-414-030.

Suspended:

Statutory authority for adoption: RCWs 77.04.012, 77.04.055, 77.12.047, 77.08.030, 77.12.610, 77.12.071, 77.145.010 and 77.145.020.

Other authority: None.

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 25-04-102 on February 04, 2025 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted on the agency's own initiative:


New	_____	Amended	<u>4</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Date Adopted: April 11, 2025	Signature: 
Name: Kelly Sussewind	
Title: WDFW Director	

WAC 220-414-030 Baiting for the purposes of hunting deer ~~((or)),~~ elk, or moose. (1) For the purposes of this section: "Bait" is any substance that could serve as a lure, food, or attraction for deer ~~((or)),~~ elk, or moose, including natural or synthetic scents that contain or are derived from cervid urine and glandular extracts.

(2) Except as otherwise provided in this section, it is unlawful to hunt for deer ~~((and)),~~ elk, or moose using any type of bait placed, exposed, deposited, distributed, scattered, or otherwise used for the purpose of attracting deer ~~((or)),~~ elk, or moose with the intent to hunt them ~~((, if the volume of bait accessible to wildlife exceeds 10 gallons.~~

~~((3) Bait sites of an individual license holder cannot be placed within 200 yards from another known bait site or another bait site of the same license holder)).~~

~~((4))~~ (3) Exceptions: Hunting on or over the following is not considered an unlawful use of bait while hunting deer ~~((or)),~~ elk, or moose:

(a) Locally common agricultural and ranching practices including salt or mineral distribution, and feeding;

(b) Food that is available from undisturbed wild, volunteer, or planted vegetation; including fruit trees, orchards, vineyards, and food plots;

(c) Scents ~~((used for cover and attractant that are not consumed by animals))~~ that do not contain or are derived from cervid urine and glandular extracts;

(d) Naturally occurring mineral deposits;

(e) As authorized by a department permit issued to address a management objective; or

(f) Exceptions do not include accidental or intentional spills, dumping, or storage of agricultural produce, feed, or bait.

~~((5) A violation of this section is punishable as an infraction under RCW 77.15.160 if no animal has been shot or killed and RCW 77.15.410 Unlawful hunting of big game Penalty, if an animal has been shot or killed.))~~

WAC 220-413-100 Mandatory report of hunting activity. (1) All hunters purchasing a hunting license must report their hunting activity for deer, elk, bear, or turkey.

(a) Hunters must report hunting activity, for each tag and permit acquired, by January 31st or within 10 days after the close of an eligible hunt, whichever date is later.

(b) Reports must be made using the department's authorized internet hunter reporting system, department-authorized mobile application, or by telephone.

(c) A hunter who fails to report hunting activity, for each tag and permit acquired, by the reporting deadline is in violation of reporting requirements.

(d) Compliance will be credited for each transport tag and permit acquired.

(2) As an incentive for prompt reporting, all hunters who report by midnight January 10th or within 10 days after the last day of their permit hunt will be entered into a drawing for special deer and elk incentive permits. To be eligible for the drawing, hunters must report their hunting activity for each transport tag and permit acquired.

(3) A hunter who fails to report hunting activity by the reporting deadline for deer, elk, bear, or turkey tags and permits acquired the previous year will be required to pay a \$10 administrative fee at the time a new license that includes deer, elk, bear, or turkey tags is issued.

(4) All hunters who purchase a paper or electronic migratory bird authorization must report their hunting activity for each paper or electronic harvest record card issued.

(a) Hunters must report harvest information from band-tailed pigeon harvest record cards by September 30th following the season for which the harvest card was issued. Hunters must report harvest information from brant, sea duck, and harlequin duck permit harvest record cards by February 15th following the season for which the harvest card was issued. Hunters must report harvest information from snow goose (Goose Management Area 1), and SW Canada goose (Goose Management Area 2 Coast and Inland) harvest record cards by March 20th following the season for which the harvest card was issued.

(b) Hunters must report migratory bird hunting activity at the department's authorized internet hunter reporting system internet site listed on the harvest record card or on the department-authorized mobile application.

(c) Any hunter who fails to report, for each harvest record card acquired, by the reporting deadlines is in violation of reporting requirements.

(d) Compliance will be credited for each harvest record card acquired.

(5) A hunter who fails to report hunting activity by the reporting deadlines for band-tailed pigeon, brant, harlequin duck permit, sea duck, snow goose, or SW Canada goose harvest record card acquired in the previous hunting season must pay a \$10 administrative fee at the time a new migratory bird authorization and harvest record card is issued.

(6) A hunter may only be required to pay a maximum of one \$10 administrative fee for all game species reporting violations during a license year.

(7) Hunters that harvest a deer, elk, or moose in any WDFW management region where the department has detected chronic wasting disease must present a sample to the department for chronic wasting disease testing within five days of harvesting:

(a) The whole head with at least three inches of the neck attached; or

(b) Extracted lymph nodes.

WAC 220-413-030 Importation ~~((and))~~, retention, and transportation of dead ~~((nonresident))~~ wildlife. (1) It is unlawful:

(a) To import or possess dead wildlife, taken in another state or country, into Washington unless such wildlife was acquired lawfully. Proof of legal acquisition must be retained during the period of retention of the carcass or edible parts.

(b) For a person who imports a dead bighorn sheep, mountain goat, cougar or bear to fail to report such importation to the department in writing within 10 days of the importation. The report must contain the name and address of the importer, the location where the dead wildlife is being stored, and general information describing where and how the wildlife was obtained.

(c) To import, transport, or possess deer, elk, moose, or caribou, or parts thereof, harvested outside Washington state; or from within a WDFW management region where chronic wasting disease has been detected by the department to other management regions of the state, with the following exceptions:

(i) Meat that has been deboned in the state or province where it was harvested and is imported as boned out meat; or meat that has been deboned in the WDFW management region where chronic wasting disease has been detected and is transported to other regions of the state as boned-out meat;

(ii) The following, from which all soft tissue has been removed: Skulls ~~((and))~~, antlers, antlers attached to the skull plate, or ~~((upper canine teeth (buglers, whistlers, ivories) from which all soft tissue has been removed))~~ teeth. For purposes of this rule, soft tissue is defined as any tissue that is not tooth, bone, or antler;

(iii) Hides or capes without heads attached;

(iv) Tissue imported for use by a diagnostic or research laboratory; and

(v) Finished taxidermy mounts.

(2) Violation of subsection (1) of this section is punishable under RCW 77.15.290 Unlawful transportation of fish or wildlife—Penalty.

(3) It is unlawful for an importer or receiver of deer ~~((or))~~, elk, moose, or caribou to fail to notify the department within 24 hours if a state ~~((or))~~, province, tribe, or laboratory alerts the importer or receiver that a harvested animal has tested positive for chronic wasting disease. Violation of this subsection is an infraction punishable under RCW 77.15.160 Infractions.

WAC 220-400-040 Possession of dead wildlife. (1) Except as authorized by permit of the director or as otherwise provided by this section, it is unlawful to possess wildlife found dead. This rule does not prohibit the possession of naturally shed antlers of deer, elk, or moose.

(2) Except as provided in subsection (4) of this section, an individual may remove and dispose of wildlife found dead on his or her property or an adjoining public roadway. Before removing the wildlife, the individual shall, by telephone, notify the department or the Washington state patrol communications office, and shall provide his or her name, address, telephone number, and the description and location of the wildlife. The individual may remove the wildlife for disposal only, and may not retain the wildlife for personal use or consumption. Other laws and rules may apply to the disposal, including rules of the department of health (WAC 246-203-121). Wildlife removed under this subsection remain the property of the state.

(3) Possession of wildlife in violation of subsections (1) and (2) is punishable under RCW 77.15.130, 77.15.400, 77.15.410, and 77.15.430 depending on the species involved in the violation.

(4) It is permissible to salvage and transport a deer or elk that is accidentally killed by a motor vehicle collision (~~(except for any deer killed by a motor vehicle collision in Clark, Cowlitz, and Wahkiakum counties)~~).

(a) Big game licenses and tags cannot be used for the purpose of salvaging motor vehicle-killed deer or elk.

(b) A salvage permit must be obtained from the department within 24 hours of taking possession of the animal. Permits may be obtained on the department's website or at department regional offices.

(c) The entire carcass, including entrails, of the animal must be removed from the road right of way.

(d) In any WDFW management region where the department has detected chronic wasting disease, salvagers must submit to the department for chronic wasting disease sampling within five days of receiving a salvage permit:

(i) The whole head with at least three inches of the neck attached; or

(ii) Extracted lymph nodes to the department for chronic wasting disease sampling within five days of receiving a salvage permit.

(e) Any meat an individual deems unfit for human consumption or unusable animal parts must be disposed of pursuant to WAC 246-203-121. Individuals salvaging and consuming this meat do so at their own risk. The department makes no guarantee as to the fitness for consumption of deer or elk collected under a salvage permit.

~~((e))~~ (f) An individual may not kill an injured or wounded animal that they encounter for the purpose of salvage. Only a law enforcement officer or individuals or entities authorized by the department may euthanize an animal injured in a motor vehicle collision and that deer or elk may be taken for salvage.

(5) Possession of wildlife in violation of subsection (4) of this section is punishable under RCW 77.15.750.