



PROPOSED RULE MAKING

CR-102 (June 2024) (Implements RCW 34.05.320) Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: February 04, 2025
TIME: 9:59 AM

WSR 25-04-100

Agency: Washington Department of Fish and Wildlife (WDFW) [2024-16B]

Original Notice
 Supplemental Notice to WSR [_____]
 Continuance of WSR [_____]

Preproposal Statement of Inquiry was filed as WSR [24-21-094 filed on October 17, 2024]; or
 Expedited Rule Making--Proposed notice was filed as WSR [_____] ; or
 Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or
 Proposal is exempt under RCW [_____].

Title of rule and other identifying information: (describe subject) |
WAC 220-415-090 Fall black bear hunting seasons and regulations.

Hearing location(s):			
Date:	Time:	Location: (be specific)	Comment:
March 20-22, 2025	8:00 a.m.	Hybrid – Kennewick (Tri-cities) Three Rivers Convention Center, 7016 W Grandridge Blvd, Kennewick, WA 99336	Information on how to register to testify at the public hearing is available at: https://wdfw.wa.gov/about/commission/meetings#public-testimony , or contact the Commission office at (360)-902-2267.

Date of intended adoption: On or after April 4, 2025 (Note: This is NOT the effective date)

Submit written comments to:	Assistance for persons with disabilities:
Name: Wildlife Program Address: PO Box 43200, Olympia, WA. 98504 Email: 2025SSBear@publicinput.com Fax: (360)-902-2162 Phone: (855) 925-2801 Project Code 7563 Other: https://publicinput.com/2025ssbear or] Beginning (date and time): February 5, 2025 By (date and time): March 24, 2025	Contact: Title VI/ADA Compliance Coordinator Phone: (360) 902-2349 Fax [_____] <input type="checkbox"/> TTY: 1-800-833-6388 or 711 Email: Title6@dfw.wa.gov Other: CivilRightsTeam@dfw.wa.gov By (date): March 24, 2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules: |
WAC 220-415-090 Fall black bear hunting seasons and regulations:

This rule change proposal, if adopted, 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. Finally, the amendments specify that mandatory bear tooth samples must be submitted to the department by December 1. |

Reasons supporting proposal: WAC 220-415-090 Fall black bear hunting seasons and regulations:

The amendments, if adopted as proposed, 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.

Statutory authority for adoption: RCWs 77.04.012, 77.04.055, 77.08.030, 77.12.047, 77.15.245, 77.15.280, and 77.15.410.

Statute being implemented: RCWs 77.04.012, 77.04.055, 77.08.030, and 77.12.047, 77.15.245, 77.15.280 and 77.15.410.

Is rule necessary because of a:

Federal Law? Yes No

Federal Court Decision? Yes No

State Court Decision? Yes No

If yes, CITATION: []

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) WDFW

Type of proponent: Private. Public. Governmental.

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Mick Cope	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2515
Implementation	Mick Cope	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2515
Enforcement	Steve Bear	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2373

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name []

Address []

Phone []

Fax []

TTY []

Email []

Other []

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name []

Address []

Phone []

Fax []

TTY []

Email []

Other []

No: Please explain: [This proposal does not require a cost benefit analysis under RCW 34.05.328.]

Regulatory Fairness Act and Small Business Economic Impact Statement
 Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
 This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.
 Citation and description: []

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

[RCW 34.05.310](#) (4)(b)
(Internal government operations)

[RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

[RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

[RCW 34.05.310](#) (4)(e)
(Dictated by statute)

[RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

[RCW 34.05.310](#) (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule: _____

(2) Scope of exemptions: *Check one.*

The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.

The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)): _____

The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name | _____ |

Address | _____ |

Phone | _____ |

Fax | _____ |

TTY | _____ |

Email | _____ |

Other | _____ |

Date: February 4, 2025

Name: Scott Bird

Title: WDFW Agency Rules Coordinator

Signature:



WAC 220-415-090 Fall black bear hunting seasons and regulations.

It is unlawful to fail to comply with the provisions below. A violation of this section is punishable under RCW 77.15.410, 77.15.245, or 77.15.280.

~~((Fall black bear season dates: August 1 to November 15.~~

~~Bag Limit: Two (2) black bear per annual hunting season.))~~

Black Bear Management Unit (BBMU)	Hunt Area (GMU)	Season Dates	Bag Limit
<u>1 – Northeast</u>	<u>105, 108, 111, 113, 117, 121, 124</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>2 – Columbia Basin</u>	<u>127, 130, 133, 136, 139, 142, 248, 254, 260, 262, 266, 269, 272, 278, 284, 290, 371, 372, 373, 379, 381</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>3 – Southeast</u>	<u>145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>4 – Okanogan Highlands</u>	<u>101, 204</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>5 – Okanogan</u>	<u>203, 209, 215, 218, 224, 231, 233, 239, 242, 243</u>	<u>August 15 – November 15</u>	<u>1</u>
<u>6 – Central Cascades East</u>	<u>244, 245, 246, 247, 249, 250, 251, 328, 329, 334, 335</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>7 – South Cascades East</u>	<u>336, 340, 342, 346, 352, 356, 360, 364, 368, 382, 388, 578</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>8 – North Cascades West</u>	<u>418, 426, 437, 448, 450, 460</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>9 – South Cascades West</u>	<u>466, 485, 503, 510, 513, 516, 560, 568, 572, 574, 653, 654</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>10 – Urban</u>	<u>407, 454, 504, 564, 624, 627, 633, 652, 666, 684</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>11 – Mount St. Helens</u>	<u>505, 520, 524, 550, 554, 556, 667</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>12 – Olympic Peninsula East</u>	<u>603, 607, 618, 621, 636, 638</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>13 – Olympic Peninsula West</u>	<u>601, 602, 612, 615, 642, 648, 651</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>14 – Willapa Hills</u>	<u>501, 506, 530, 658, 660, 663, 672, 673, 681, 699</u>	<u>August 15 – November 15</u>	<u>1</u>

~~**Area Restrictions:** GMUs 157, 410-417, 419-424, 490, ((and)) 522, and 655 are closed to fall bear hunting. A special ((deer)) permit to hunt deer or elk in GMU 485 is required to hunt black bear in GMU 485. ((Hunters that choose to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the annual WDFW online bear identification test or equivalent test from another state and carry proof of successful completion.))~~

~~**License Required:** A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option. A second black bear transport tag must be purchased to take a second bear.~~

~~**Hunting Method:** Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of hounds and bait to hunt black bear is prohibited statewide. It is unlawful to kill or possess a cub (less than one year old) or a female bear accompanied by cub(s).~~

~~((Other))~~ Area Requirements: Hunters that choose to hunt black bear in GMUs (~~(located in grizzly bear recovery areas as identified by the department)~~) 101, 105, 108, 111, 113, 117, 121, 203, 204, 209, 215, 218, 224, 231, 242, 243, 244, 418, 426, 437, and 450 must successfully complete the annual WDFW online bear identification test with a passing score (80% or higher) and carry proof of successful completion or carry proof that they have passed an equivalent test from another state while hunting black bear in those GMUs. The WDFW test may be taken repeatedly until a passing score is achieved. (~~(All hunters must carry proof of passing a bear identification test while hunting in the GMUs identified by the department.)~~)

Submitting Biological Samples and Bear Teeth: Successful bear hunters must comply with harvest reporting and submission of biological samples including the black bear premolar tooth located behind the canine tooth of the upper jaw by December 1st of the current hunt season. Failure to comply with the submission of biological samples is a misdemeanor pursuant to RCW 77.15.280.