



PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

Print Form

In accordance with RCW 34.05.330, the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at http://apps.leg.wa.gov/wac/default.aspx?cite=82-05.

CONTACT INFORMATION (please type or print)

Petitioner's Name Brad Thomssen
Name of Organization
Mailing Address
City State WA Zip Code
Telephone Email

COMPLETING AND SENDING PETITION FORM

- Check all of the boxes that apply.
Provide relevant examples.
Include suggested language for a rule, if possible.
Attach additional pages, if needed.
Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: http://www.leg.wa.gov/CodeReviser/Documents/RClist.htm.

INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: WDFW

1. NEW RULE - I am requesting the agency to adopt a new rule.

- The subject (or purpose) of this rule is: Please See Attached
The rule is needed because: Please See Attached
The new rule would affect the following people or groups: Please See Attached

2. AMEND RULE - I am requesting the agency to change an existing rule.

List rule number (WAC), if known: _____

I am requesting the following change: _____

This change is needed because: _____

The effect of this rule change will be: _____

The rule is not clearly or simply stated: _____

3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.

List rule number (WAC), if known: _____

(Check one or more boxes)

It does not do what it was intended to do.

It is no longer needed because: _____

It imposes unreasonable costs: _____

The agency has no authority to make this rule: _____

It is applied differently to public and private parties: _____

It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: _____

It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: _____

Other (please explain): _____

5/15/2024

This petition requests the WDFW Commission begin rulemaking for the return of the Recreational Spring Black Bear Hunting Seasons based on the most recent 5 year state wide black bear population studies.

This is new data from the Department.

I have learned about the robust black bear population studies WDFW biologists, enforcement and including tribal biologists have been working on over the past 5 years which began in 2020 with hair sample gathering, traps, cameras, etc., which have now concluded, which began in the planning stages in 2017.

(you will have to pardon my 'not exact' understanding or in depth knowledge of the program)

As it was explained to me new survey protocols were used and the modeling is much more exact than in years past.

The state was divided up into 17 'districts, or units, or management units' (I'm not real clear on the lingo), possibly the correct term was/is "Bear Management by Management Areas"

Anyway, as it was explained to me, 13 of the 17 units have sustainable / huntable / stable black bear populations.

Based on these new modeling / population study methods, what I was told there are some of these units that probably should only have one general season tag per hunter per year.

Some of the units should stay at 2 tags per hunter per year.

And in the case of three units show black bear populations so robust they could handle a general over the counter spring bear hunting tag plus 2 tags per hunter per year.

The 3 units were described to me as NE Washington has the highest black bear population densities, GMU 615 has the second highest black bear population densities, and the area that would be Skagit County and Whatcom Counties together, has the third highest black bear population densities with 28 bears per 36 square miles.

But I am old, and old people have seen a lot.
Over my life my 2 Black Bear Hunting Bibles have been,
“The Education of a Bear Hunter” by Ralph Flowers.

And

“Black Bear of Washington” by Richard Poelker and Harry D Harwell published
by The Washington State Game Department

All the talk about Spring Black Bear Hunting as a management hunt or a
recreational hunt has been hashed out over the past two years in petitions I have
submitted to this Commission.

Ralph Flowers in his role as Forest Protection Agent, and all the State, Federal,
Local Government Agencies and Universities that were involved in “The
Cooperative Black Bear Study, Federal Aid in Wildlife Restoration Project W-71-
R, all supported and explained the reasons why a public Spring Black Bear
Hunting Season is justified in the areas that support such a hunt based on
population.

Even Barbara Baker, on the record, stated they knew there were enough bears for a
spring black bear hunt.

To conclude this email, I request your consideration that in the three geographic
areas described above, for the reasons described above, that in those three areas,
beginning rulemaking for a Spring Black Bear Hunting Season be approved.

Call it what you will.

“Recreational Spring Bear Hunt” has been branded a bad term by extremist anti
hunting groups.

“Management Hunt” has been already discussed during the Black Bear Timber
Damage Program CR-102 process with the Commission deciding public hunters
will not be written into that new law.

I propose the old original language would be a proper proposal as it is a neutral
term in that there are few of us old people left who remember the term, and that
would be a “Boot Hunt”

Based on the recent 5 year study there are three areas of the state that could support a Spring Black Bear Hunt and that would be proper.

April 15 – May 15 would be a proper season in unit Skagit and Whatcom Counties as they are relatively close to the Seattle hiking crowd and would limit conflict between hunters and non hunting recreationalists.

That area also makes sense as historically heading out the Mt Baker Hiway, that land, running west to east is DNR, then SPI Timberlands, and then Forest Service Lands until reaching the National Park where hunting is off limits. DNR, SPI and Forest Service lands out there historically were Spring Bear Hunting Lands where hunters would get gate keys and DNR, SPI, and the Forest Service welcomed Spring Bear Hunters. Whether they would still afford a gate key to hunters is not for this email to consider. I mention this only as that area has historically welcomed Spring Black Bear Hunters.

April 15 – June 1st makes sense for GMU 615 and NE Washington as they are more remote minimizing conflict between hunters and non hunters and the Black Bear populations there are even higher than in Skagit/Whatcom.

Thank-you for your consideration.

P.S.

Regarding:

“... a clear commission motion to not have spring bear hunts until a management-based need has been identified...”

“Department staff currently do not have any new management-based needs beyond what has been presented to the commission in the past.”

Regarding the above two italicized quotes:

RCW 77.040.012 Mandate of department and commission

“The commission shall attempt to maximize the public recreational game fishing and hunting opportunities of all citizens, including juvenile, disabled, and senior citizens.”

I do not see anything in RCW 77.04.012 stating anything about not having hunting seasons until a management-based need has been identified.

Thank-you
5/15/2024

PDF RCW 77.04.012**Mandate of department and commission.**

Wildlife, fish, and shellfish are the property of the state. The commission, director, and the department shall preserve, protect, perpetuate, and manage the wildlife and food fish, game fish, and shellfish in state waters and offshore waters.

The department shall conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource. In a manner consistent with this goal, the department shall seek to maintain the economic well-being and stability of the fishing industry in the state. The department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state.

The commission may authorize the taking of wildlife, food fish, game fish, and shellfish only at times or places, or in manners or quantities, as in the judgment of the commission does not impair the supply of these resources.

The commission shall attempt to maximize the public recreational game fishing and hunting opportunities of all citizens, including juvenile, disabled, and senior citizens.

Recognizing that the management of our state wildlife, food fish, game fish, and shellfish resources depends heavily on the assistance of volunteers, the department shall work cooperatively with volunteer groups and individuals to achieve the goals of this title to the greatest extent possible.

Nothing in this title shall be construed to infringe on the right of a private property owner to control the owner's private property.

[2000 c 107 § 2; 1983 1st ex.s. c 46 § 5; 1975 1st ex.s. c 183 § 1; 1949 c 112 § 3, part; Rem. Supp. 1949 § 5780-201, part. Formerly RCW 75.08.012, 43.25.020.]

NOTES:

State policy regarding improvement of recreational salmon fishing: See note following RCW 77.65.150.