



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N • Olympia, WA 98501-1091 • (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building • 1111 Washington Street SE • Olympia, WA

October 20, 2009

Dear Wildlife Enthusiast:

Enclosed for your review and comment are regulations that will be proposed at the December 4-5, 2009 Fish and Wildlife Commission meeting in Olympia. The Commission will consider amending regulations regarding big game and wild turkey auction, raffle, and special incentive permits.

The proposed changes are the result of legislative amendments to RCW 77.32.530 from last session that increased raffle opportunities for big game and wild turkey.

If you would like the Department and Commission to consider your written comments regarding these recommendations, please submit them to **WDFW, Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, by November 9, 2009.** You may also wish to attend the Commission meeting, and provide your comments at that time. The meeting will be held in Room 172 of the Natural Resources Building, 1111 Washington Street Southeast, Olympia, Washington 98504.

Fish and Wildlife Commission meeting agendas can be viewed on the Internet at <http://wdfw.wa.gov/com/comintro.htm>; or to request that one be mailed to you, please contact the Commission Office at (360) 902-2267.



II, Assistant Director
Program

cc:



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Fish and Wildlife

- ☒ Preproposal Statement of Inquiry was filed as WSR 09-18-111; or
☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice to WSR
☐ Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

Adopt WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits

Repeal WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits

Hearing location(s):

Natural Resources Building, Room 172
 1111 Washington Street SE
 Olympia, Washington 98501
 (360) 902-2515

Submit written comments to:

Name: Wildlife Program Commission Meeting Public Comments
 Address: 600 Capitol Way North, Olympia WA 98501-1091
 e-mail Wildthing@dfw.wa.gov
 fax (360) 902-2162

Date: December 4-5, 2009 Time: 8:00 am

By: Monday, November 9, 2009

Assistance for persons with disabilities:

Contact: Susan Yeager by December 2, 2009

TTY (800) 833-6388 or (360) 902-2267

Date of intended adoption: January 8-9, 2010

(Note: This is **NOT** the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The Department is recommending adding 16 Director-authorized auction or raffle permits for new multiple-species hunts. The special opportunities include various species permit combinations for deer, elk, moose, mountain goat, California bighorn sheep, cougar, black bear, and wild turkey. The anticipated effect is a substantial increase in revenue dedicated to management of game species. The increased permit levels will not impact wildlife populations.

The Department is also recommending reducing goat raffle permits from 2 to 1.

Reasons supporting proposal:

Implement Substitute House Bill 1778 by increasing raffle opportunities for big game and wild turkey, and to generate game management revenue when consistent with the long-term sustainability of wildlife populations.

Statutory authority for adoption: 77.12.047; 77.12.020;
 77.12.570; 77.12.210; 77.12.150; 77.12.240

Statute being implemented: 77.12.047; 77.12.020; 77.12.570;
 77.12.210; 77.12.150; 77.12.240

Is rule necessary because of a:

- Federal Law?
 Federal Court Decision?
 State Court Decision?

- | | |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED**

DATE

October 20, 2009

NAME

Lori Preuss

SIGNATURE

Lori Preuss

TITLE

Rules Coordinator

DATE: October 20, 2009

TIME: 9:41 AM

WSR 09-21-091

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization)

Washington Department of Fish and Wildlife

☐ Private

☐ Public

☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Dave Brittell	Natural Resources Building, Olympia	(306) 902-2504
Implementation.... Dave Brittell	Natural Resources Building, Olympia	(360) 902-2504

NEW SECTION

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.

AUCTION PERMITS

(1) BLACK-TAILED DEER AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to black-tailed deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck black-tailed deer.

Number of permit hunters selected: 1

(2) MULE DEER AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck mule deer.

Number of permit hunters selected: 1

(3) WHITE-TAILED DEER AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck white-tailed deer.

Number of permit hunters selected: 1

(4) WESTSIDE ELK AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(5) EASTSIDE ELK AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any bull elk.
Number of permit hunters selected: 1

(6) CALIFORNIA BIGHORN SHEEP AUCTION PERMIT

Season dates: September 1 - December 31
Hunt Area: Any open sheep unit with two or more ram permits during the respective license year, EXCEPT sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.
Weapon: Any legal weapon.
Bag limit: One California bighorn ram.
Number of permit hunters selected: 1

(7) MOOSE AUCTION PERMIT

Season dates: September 1 - December 31
Hunt Area: Any open moose unit.
Weapon: Any legal weapon.
Bag limit: One moose of either sex.
Number of permit hunters selected: 1

(8) MOUNTAIN GOAT AUCTION PERMIT

Season dates: September 1 - December 31
Hunt Area: Any open goat unit with two or more permits during the respective license year.
Weapon: Any legal weapon.
Bag limit: One mountain goat of either sex.
Number of permit hunters selected: 1

RAFFLE PERMITS

(9) BLACK-TAILED DEER RAFFLE PERMIT

Season dates: September 1 - December 31
Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.
Weapon: Any legal weapon.
Bag limit: One additional any buck black-tailed deer.
Number of permit hunters selected: 1

(10) MULE DEER RAFFLE PERMIT

Season dates: September 1 - December 31
Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.
Weapon: Any legal weapon.
Bag limit: One additional any buck mule deer.
Number of permit hunters selected: 1

(11) WHITE-TAILED DEER RAFFLE PERMIT

Season dates: September 1 - December 31
Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.
Weapon: Any legal weapon.
Bag limit: One additional any buck white-tailed deer.

Number of permit hunters selected: 1

(12) WESTSIDE ELK RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(13) EASTSIDE ELK RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(14) CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open bighorn sheep unit with two or more ram permits during the respective license year, EXCEPT sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

Weapon: Any legal weapon.

Bag limit: One California bighorn ram.

Number of permit hunters selected: 1

(15) MOOSE RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open moose unit.

Weapon: Any legal weapon.

Bag limit: One moose of either sex.

Number of permit hunters selected: 2

(16) MOUNTAIN GOAT RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open goat unit with two or more permits during the respective license year.

Weapon: Any legal weapon.

Bag limit: One mountain goat of either sex.

Number of permit hunters selected: 1

(17) TURKEY RAFFLE PERMIT

Season dates: April 1 - May 31 and September 1 - December 31

Hunt Area: Statewide.

Weapon: Archery or shotgun only.

Bag limit: Three additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.

Number of permit hunters selected: 1

DIRECTOR AUTHORIZED AUCTION OR RAFFLE PERMITS

(18) ROCKY MOUNTAIN BIGHORN SHEEP DIRECTOR AUTHORIZED AUCTION OR RAFFLE PERMIT

Bag limit: One Rocky Mountain bighorn ram.

Hunt Area: GMUs 113, 181, 186.

Season dates: September 1 - December 31

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(19) THREE-DEER DIRECTOR AUTHORIZED AUCTION OR RAFFLE PERMIT

Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.

Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(20) NORTHEAST WASHINGTON BIG GAME DIRECTOR AUTHORIZED AUCTION OR RAFFLE PERMIT

Bag limit: Permit hunter may harvest three of six possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any bull elk, one any bull moose, one additional any legal cougar, one additional any legal black bear, and one additional any legal turkey (gobbler and turkey with visible beard ONLY); total harvest not to exceed three animals.

Hunt Area: GMUs 101-124.

Season dates: September 1 - December 31 for white-tailed deer, elk, and moose. April 15 - May 31 and September 1 - December 31 for black bear. September 1 - March 31 for cougar. April 15 - May 31 for turkey

Weapon: Any legal weapon EXCEPT archery and shotgun only for turkey.

Number of permit hunters selected: 1

(21) SOUTH-CENTRAL WASHINGTON BIG GAME DIRECTOR AUTHORIZED AUCTION OR RAFFLE PERMIT

Bag limit: One additional any bull elk, one additional any buck deer, and one any legal mountain goat; total harvest not to exceed three animals.

Hunt Area: For elk, any 300 or 500 series GMU EXCEPT those GMUs closed to elk hunting and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission. For deer, any 300 or 500 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For mountain goat, those mountain goat hunt areas south of Interstate 90 open to goat

hunting by the fish and wildlife commission with two or more permits during the respective license year.

Season dates: September 1 - December 31

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(22) SOUTHEAST WASHINGTON BIG GAME DIRECTOR AUTHORIZED AUCTION OR RAFFLE PERMIT

Bag limit: Permit hunter may harvest four of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one additional any bull elk, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed four animals.

Hunt Area: GMUs 139-154 and 162-186.

Season dates: September 1 - December 31 for white-tailed deer, mule deer, and elk. April 15 - June 15 and September 1 - December 31 for black bear. September 1 - March 31 for cougar

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(23) NORTH-CENTRAL WASHINGTON BIG GAME DIRECTOR AUTHORIZED AUCTION OR RAFFLE PERMIT

Bag limit: Permit hunter may harvest three of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one any ram California bighorn sheep, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed three animals.

Hunt Area: For white-tailed deer, mule deer, cougar, and black bear, any 200 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, those bighorn sheep hunt areas in Chelan or Okanogan counties open to bighorn sheep hunting by the fish and wildlife commission with two or more permits during the respective license year.

Season dates: September 1 - December 31 for white-tailed deer, mule deer, and California bighorn sheep. April 15 - May 15 and September 1 - December 31 for black bear. September 1 - March 31 for cougar

Weapon: Any legal weapon.

Number of permit hunters selected: 1

SPECIAL INCENTIVE PERMITS

(24) WESTERN WASHINGTON ELK INCENTIVE PERMITS

Hunt Area: Western Washington EXCEPT GMUs 418, 485, 522, and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

Number of permit hunters selected: 2

(25) EASTERN WASHINGTON ELK INCENTIVE PERMITS

Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

Number of permit hunters selected: 2

(26) DEER INCENTIVE PERMITS

Hunt Area: Statewide, for use in any area open to general or permit hunting seasons EXCEPT GMUs 157, 418, 485, 522, and those GMUs closed to deer hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons and any legal weapon at other times if there are no firearm restrictions.

Bag limit: One additional any deer.

Number of permit hunters selected: 5

PERMIT ISSUANCE PROCEDURE

(27) Auction permits: The director will select a conservation organization(s) to conduct annual auction(s). Selection of the conservation organizations will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey auctions shall be conducted consistent with WAC 232-28-292.

(28) Raffle permits: Raffle permits will be issued to individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 232-28-290.

(29) Director authorized big game auction or raffle permits: The director shall determine which method of permit opportunity, auction or raffle, taking into consideration impacts to the wildlife resource, opportunity to the hunting community, other resource management issues, and expected revenue. The director may select a conservation organization(s) to conduct annual auction(s) or raffle(s). Selection of the conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game auctions and raffles shall be conducted consistent with WAC 232-28-292.

(30) Special incentive permits: Hunters will be entered into a drawing for special deer and elk incentive permits for prompt reporting of hunting activity in compliance with WAC 232-28-299.

(31) For permit hunts where the permittee may harvest multiple

species, the permittee must select the species he/she wants to hunt within fourteen days of notification of being selected.

QUALIFICATIONS FOR PARTICIPATION AND REQUIREMENTS:

(32) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area or entering the region to hunt outside the general season.

(33) The permittee may be accompanied by others; however, only the permittee is allowed to carry a legal weapon or harvest an animal.

(34) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(35) If requested by the department, the permittee is required to direct department officials to the site of the kill.

(36) The permit is valid during the hunting season dates for the year issued.

(37) The permittee will present the head and carcass of the bighorn sheep killed to any department office within seventy-two hours of date of kill.

(38) The permittee must abide by all local, state, and federal regulations including firearm restriction areas and area closures.

(39) Hunters awarded the special incentive permit will be required to send the appropriate license fee to the department of fish and wildlife headquarters in Olympia. The department will issue the license and transport tag and send it to the special incentive permit winner.

(40) Permit hunters awarded a cougar permit may only use dogs in GMUs that have a cougar season open to dog use (WAC 232-28-285).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-282

Big game and wild turkey auction,
raffle, and special incentive
permits.