

WSR 23-19-041  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 23-13—Filed September 13, 2023, 1:50 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-16-129 on August 1, 2023.

Title of Rule and Other Identifying Information: WAC 220-412-090 Multi-season deer and elk tags.

Hearing Location(s): On October 24, 2023, at 3:00 p.m., via Zoom. Please click the link below to join the webinar <https://us06web.zoom.us/j/85276615269>; or phone 1 253 215 8782 US (Tacoma) +1 253 205 0468 US. The public can provide comment during webinars by phone or electronic device. Attendees that provide verbal comment are audio only. In order to testify, you must **register by 8 a.m.** the day of the hearing.

At the appropriate time to speak, you will be recognized by your partial phone number or your Zoom username and staff will unmute your connection. You will be asked to state your name and residence for the record, just as if you were attending the meeting in person. Please also state whether you are representing yourself or a group or organization.

Date of Intended Adoption: On or after October 25, 2023.

Submit Written Comments to: Wildlife Program, P.O. Box 43200, Olympia, WA 98504, email [78983@PublicInput.com](mailto:78983@PublicInput.com), fax 360-902-2162, <https://publicinput.com/cwd-cr-102>, SEPA comment [cwd\\_sampling\\_sepa@PublicInput.com](mailto:cwd_sampling_sepa@PublicInput.com), phone 855-925-2801, project code 3632, by written public comment October 11, 2023.

Assistance for Persons with Disabilities: Contact Title VI/ADA compliance coordinator, phone 360-902-2349, TTY 1-800-833-6388 or 711, email [Title6@dfw.wa.gov](mailto:Title6@dfw.wa.gov), <http://wdfw.wa.gov/accessibility/requests-accommodation>, by October 11, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule proposal, if adopted, will create a special subset of multi-season deer tags that will be available only to those hunters who are eligible to participate in the Washington department of fish and wildlife's (WDFW) chronic wasting disease incentive program (CWDIP).

The recommended changes to WAC 220-412-090 will allow for 100 tags to be drawn at no cost for hunting deer for any licensed hunter who meets the eligibility requirements of CWDIP. To be eligible to participate in CWDIP, a hunter must have submitted their deer or elk for chronic wasting disease (CWD) sampling to WDFW staff during the preceding license year. The hunting season for this special program will start in 2024 and occur between September 1 through December 31 each year thereafter. The special hunt is statewide in game management units (GMU) that allow general seasons for archery, muzzleloader, or modern firearm hunters. This rule will provide for an overall increase in the total number of multiseason deer tags offered for each hunting season starting in 2024.

Reasons Supporting Proposal: CWD is a fatal illness of free-ranging deer, elk, moose, and caribou. While CWD has not been detected in Washington, the disease continues to spread and is found as close as Idaho. To preserve and protect the deer and elk population of the state, it is important for WDFW to detect the disease early across

GMUs. The CWDIP will assist WDFW in the early detection and prevention of this disease. It should be noted that most animals infected with CWD will look healthy for several months before showing signs of the disease, during that time, they are infecting other animals.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.055, 77.12.047, and 77.08.030.

Statute Being Implemented: RCW 77.04.012, 77.04.055, 77.12.047, and 77.08.030.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WDFW, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Eric Gardner, 1111 Washington Street S.E., Olympia, WA 98501, 360-902-2515; Enforcement: Steve Bear, 1111 Washington Street S.E., Olympia, WA 98501, 360-902-2373.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

September 13, 2023

Scott Bird

Rules Coordinator

## OTS-4765.2

AMENDATORY SECTION (Amending WSR 20-12-080, filed 6/1/20, effective 7/2/20)

**WAC 220-412-090 Multi-season deer and elk tags.** Multi-season deer and elk tags allow hunters who draw and purchase those tags to hunt during more than one general season.

The department will conduct an annual drawing for multi-season tags.

(1) Multi-season deer and elk tags:

(a) To apply for multi-season deer and elk tags, applicants must purchase a multi-season application for deer and/or elk.

(b) The department will not refund or exchange applications for multi-season deer and elk after they submit the application.

(c) An applicant may purchase only one application for a multi-season tag for each species.

(d) Applicants will be randomly drawn by computer selection.

(e) Incomplete applications will not be accepted.

(f) Multi-season deer and elk drawings will be held in April.

(2) Multi-season tags:

(a) Hunters who are drawn will be required to purchase their multi-season tag by July 31.

(b) Multi-season tags are not transferable.

(c) Multi-season tags not purchased by successful applicants prior to August 1 may be made available for purchase to unsuccessful applicants at the discretion of the department.

(3) Multi-season tag holders are required to follow all rules and restrictions, including bag limits, for general season hunters, for the species, within the game management unit or area hunted.

Number of Tags	Dates	Game Management Units (GMUs)	Legal Animal	Eligible Hunters
<b>Multi-season Deer Tags</b>				
8500	Sept. 1 - December 31 within general seasons and regulations established by the commission for deer	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal deer consistent with the game management unit or area restrictions	Any licensed deer hunter
50	Sept. 1 - December 31 within general seasons and regulations established by the commission for deer	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal deer consistent with the game management unit or area restrictions	Hunter education instructors meeting qualifications and selection criteria established by the department
<u>100</u>	<u>Sept. 1 - December 31 within general seasons and regulations established by the commission for deer</u>	<u>Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters</u>	<u>Any legal deer consistent with the game management unit or area restrictions</u>	<u>Any licensed hunter that meets the eligibility requirements of the WDFW Chronic Wasting Disease Incentive Program<sup>a</sup></u>
<b>Multi-season Elk Tags</b>				
1000	Sept. 1 - December 31 within general seasons and regulations established by the commission for elk	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal elk consistent with the game management unit or area restrictions	Any licensed elk hunter
25	Sept. 1 - December 31 within general seasons and regulations established by the commission for elk	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal elk consistent with the game management unit or area restrictions	Hunter education instructors meeting qualifications and selection criteria established by the department

<sup>a</sup> To be eligible, hunters must have submitted their deer or elk for CWD sampling to WDFW staff during the preceding license year.

[Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, and 77.12.240. WSR 20-12-080 (Order 20-76), § 220-412-090, filed 6/1/20, effective 7/2/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), re-codified as § 220-412-090, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-061 (Order 15-100), § 232-28-294, filed 5/1/15, effective 6/1/15. Statutory Authority: RCW 77.12.047, 77.32.450, and 77.32.370. WSR 12-06-008 (Order 12-21), § 232-28-294, filed 2/24/12, effective 3/26/12. Statutory Authority: RCW 77.12.047, 77.32.450, and 77.32.370. WSR 11-01-041 (Order 10-313), § 232-28-294, filed 12/6/10, effective 1/6/11. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240. WSR 09-09-083 (Order 09-53), § 232-28-294, filed 4/15/09, effective 5/16/09. Statutory Authority: RCW 77.12.047, 77.12.020. WSR 08-01-052 (Order 07-292), § 232-28-294, filed 12/13/07, effective 1/13/08; WSR 06-04-066 (Order 06-09), § 232-28-294, filed 1/30/06, effective 3/2/06.]