

WSR 25-04-100
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-16B—Filed February 4, 2025, 9:59 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-21-094 on October 17, 2024.

Title of Rule and Other Identifying Information: WAC 220-415-090 Fall black bear hunting seasons and regulations.

Hearing Location(s): On March 20-22, 2025, at 8:00 a.m., in Tricities, at the Three Rivers Convention Center, 7016 W. Grandridge Boulevard, Kennewick, WA 99336. Register to testify at the public hearing 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.

Submit Written Comments to: Wildlife Program, P.O. Box 43200, Olympia, WA 98504, email 2025SSBear@publicinput.com, fax 360-902-2162, phone 855-925-2801, project code 7563, <https://publicinput.com/2025ssbear>, beginning February 5, 2025, by March 24, 2025.

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, CivilRightsTeam@dfw.wa.gov, by 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 Washington department of fish and wildlife (WDFW) 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 WDFW 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: RCW 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: RCW 77.04.012, 77.04.055, 77.08.030, and 77.12.047, 77.15.245, 77.15.280, and 77.15.410.

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: Mick Cope, 1111 Washington Street S.E., Olympia, WA 98501, 360-902-2515; and 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.

February 4, 2025
 Scott Bird
 Rules Coordinator

RDS-6086.5

AMENDATORY SECTION (Amending WSR 21-14-022, filed 6/28/21, effective 7/29/21)

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, 244, 245, 246, 247, 249, 250, 251, 328, 329, 334, 335</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.