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**SUBSTITUTE HOUSE BILL 1346**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** House Environment (originally sponsored by Representatives Blake, Takko, Sawyer, Appleton, and Buys)

AN ACT Relating to allowing additional hunting opportunities on state land; amending RCW 79A.05.625, 79A.05.793, 79A.55.060, and 79A.05.165; and adding a new section to 79A.05 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 79A.05 RCW to read as follows:

(1) The commission shall conduct a pilot project exploring the feasibility, limitations, and benefits of allowing hunting in state parks. The pilot project must allow some level of hunting activity in four state parks during the 2016, 2017, and 2018 calendar years.

(2)(a) The commission must develop the pilot project in partnership with the department of fish and wildlife and conduct an open, public process to identify the four state parks in which the pilot project will occur.

(b) The department of fish and wildlife, with the commission's agreement, is responsible for identifying the time, place, and manner of hunting that occurs in the four state parks so that the hunting activity is tailored to the unique qualities of the participating parks and any potential effects of the pilot project on nonhunting state park visitors is minimized.

(3) The state parks included in the pilot project must be evenly divided among locations east and west of the crest of the Cascade mountains. The commission must balance to the best of its ability, but not necessarily satisfy for each park, the following factors when identifying the state parks that will be included in the pilot project:

(a) A location that is a suitable distance from dense residential areas or is in a remote area;

(b) Proximity to other lands that experience higher than average levels of wildlife-caused damage;

(c) Proximity to areas that are not managed by the commission and that allow waterfowl and other hunting opportunities;

(d) The existence of large populations of game species in the park that could potentially benefit from active wildlife management; and

(e) A status as an undeveloped or lightly used park during any proposed hunting seasons.

(4) All hunting that occurs as part of the pilot project must be conducted with all relevant provisions of Title 77 RCW.

(5) The commission must ensure reasonably adequate signage and public notice so that park visitors are aware of potential hunting activity in a given park.

(6) During the pilot project, the commission must assure that no hunting opportunities are provided only to a specified segment or segments of the general public without providing the same hunting opportunities to the general public.

(7) The commission shall coordinate with the department of fish and wildlife and issue a report to the legislature, consistent with RCW 43.01.036, at the culmination of the pilot project that:

(a) Summarizes the lessons learned from the pilot project;

(b) Makes suggestions as to whether or not the pilot project demonstrated limited hunting as an appropriate recreational activity at state parks;

(c) Provides information as to whether or not hunting in certain state parks can reduce wildlife conflict within the park or on adjacent private lands;

(d) Draws conclusions as to whether hunting is an effective wildlife management tool for certain state parks; and

(e) Accounts for any increase in discover pass sales or hunting license sales.

**Sec.**  RCW 79A.05.625 and 2000 c 11 s 49 are each amended to read as follows:

Nothing in RCW 79A.05.600 through ((~~79A.05.630 and 79A.05.635 through~~)) 79A.05.695 shall be construed to interfere with the powers, duties, and authority of the department of fish and wildlife to regulate the conservation or taking of food fish and shellfish. Nor shall anything in RCW 79A.05.600 through ((~~79A.05.630 and 79A.05.635 through~~)) 79A.05.695 be construed to interfere with the powers, duties, and authority of the department of fish and wildlife to regulate, manage, conserve, and provide for the harvest of wildlife within such area((~~: PROVIDED, HOWEVER, That~~)). However, no hunting shall be permitted in any state park except where expressly authorized by the commission.

**Sec.**  RCW 79A.05.793 and 2000 c 11 s 64 are each amended to read as follows:

Nothing in RCW 79A.05.750 through 79A.05.795 shall be construed to interfere with the powers, duties, and authority of the state department of fish and wildlife or the state fish and wildlife commission to regulate, manage, conserve, and provide for the harvest of wildlife within such area((~~: PROVIDED, HOWEVER, That~~)). However, no hunting shall be permitted in any state park except where expressly authorized by the commission.

**Sec.**  RCW 79A.55.060 and 1999 c 249 s 805 are each amended to read as follows:

Nothing contained in this chapter shall affect the authority of the department of fish and wildlife to construct facilities or make improvements to facilitate the passage or propagation of fish nor shall anything in this chapter be construed to interfere with the powers, duties, and authority of the department of fish and wildlife to regulate, manage, conserve, and provide for the harvest of fish or wildlife within any area designated as being in the state's scenic river system. No hunting shall be permitted in any state park except where expressly authorized by the commission.

**Sec.**  RCW 79A.05.165 and 2007 c 441 s 2 are each amended to read as follows:

(1) Every person is guilty of a misdemeanor who:

(a) Cuts, breaks, injures, destroys, takes, or removes any tree, shrub, timber, plant, or natural object in any park or parkway except in accordance with such rules as the commission may prescribe; or

(b) Kills, or pursues with intent to kill, any bird or animal in any park or parkway except:

(i) In accordance with a research pass, permit, or other approval issued by the commission, pursuant to rule, for scientific research purposes; or

(ii) Where expressly authorized by the commission; or

(c) Takes any fish from the waters of any park or parkway, except in conformity with such general rules as the commission may prescribe; or

(d) Willfully mutilates, injures, defaces, or destroys any guidepost, notice, tablet, fence, inclosure, or work for the protection or ornamentation of any park or parkway; or

(e) Lights any fire upon any park or parkway, except in such places as the commission has authorized, or willfully or carelessly permits any fire which he or she has lighted or which is under his or her charge, to spread or extend to or burn any of the shrubbery, trees, timber, ornaments, or improvements upon any park or parkway, or leaves any campfire which he or she has lighted or which has been left in his or her charge, unattended by a competent person, without extinguishing it; or

(f) Places within any park or parkway or affixes to any object therein contained, without a written license from the commission, any word, character, or device designed to advertise any business, profession, article, thing, exhibition, matter, or event.

(2)(a) Except as provided in (b) of this subsection, a person who violates any rule adopted, promulgated, or issued by the commission pursuant to the provisions of this chapter is guilty of a misdemeanor.

(b) The commission may specify by rule, when not inconsistent with applicable statutes, that violation of the rule is an infraction under chapter 7.84 RCW.

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