

WAC 220-440-190 Public hunting requirements. "Public hunting" generally means that land is open for licensed hunters. The intent of this provision is to allow hunting at an appropriate time, manner, and level to help prevent property damage.

As specified in WAC 220-440-140, cash compensation for crop damage claims will only be paid when the property where the crop damage occurred is open to public hunting; unless the department determines that hunting is not practical. Public hunting is defined as:

(1) The landowner opens the property on which the damage or loss is claimed for general access to all licensed hunters during the season for the species causing damage, other species may be included to provide additional hazing, prior to the occurrence of damage; or

(2) The landowner has entered into and complied with any agreement with the department covering the land(s) on which the damage is claimed. Agreements shall require that:

(a) The land is open to general access to licensed hunters; or

(b) The landowner allows the department to select a limited number of hunters who are authorized to access the land to minimize or prevent damage; or

(c) The landowner and the department determine the number of hunters, timing, weapon options and the required permission for access to hunt on the landowner's property to effectively minimize damage.

[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), amended and recodified as § 220-440-190, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.240, 77.12.320, 77.12.150, 77.15.245, and chapter 77.36 RCW. WSR 16-04-066 (Order 16-18), § 232-36-300, filed 1/28/16, effective 2/28/16. Statutory Authority: RCW 77.04.012, 77.04.020, and 77.04.055. WSR 10-13-182 (Order 10-156), § 232-36-300, filed 6/23/10, effective 7/24/10.]