

WAC 220-440-200 Damage prevention permit hunts—Deer, elk, and turkey. (1) A landowner may enter into a damage prevention cooperative agreement (contract) with WDFW. The landowner may receive a damage prevention permit, if deemed necessary by the department. Hunts conducted pursuant to a damage prevention permit must adhere to the special seasons provided in this section. Nothing in this section prevents a landowner from protecting their property.

(a) The landowner agrees not to file a damage claim unless damage exceeds the threshold established by the department and conditioned in the damage prevention cooperative agreement, except for Elk Areas 3721 and 3722. Landowners will work with the department to allow access to hunters during the general hunting seasons as determined by the department.

(b) A damage prevention cooperative agreement may include:

(i) An approved checklist of the reasonable preventative and non-lethal means that must be employed prior to lethal removal;

(ii) A description of the properties where lethal removal is allowed;

(iii) Other conditions developed within department procedural documents.

(c) A damage prevention permit issued to a landowner by the department and provided to the hunter by the landowner authorizes the hunter to use a deer or elk damage license or tag to hunt and take a legal animal as prescribed on the permit.

(d) A damage prevention permit may include:

(i) A description of the properties where lethal removal is allowed;

(ii) The species and sex of the animal that may be taken; the terms of the permit; the dates when lethal removal is authorized; and

(iii) Other conditions developed within department procedural documents.

(2) **General deer and elk removal criteria:**

(a) Only persons with a damage prevention permit may hunt and take one deer or one elk as designated on the permit.

(b) Hunters must have a valid big game license, damage deer/elk license or tag to participate in a damage prevention hunt during the prescribed damage prevention permit period, unless the damage permit specifies otherwise.

(c) Hunters who fill their deer or elk damage tag are ineligible to participate in another damage prevention hunt utilizing a damage prevention permit during the same season in which they already harvested wildlife under a damage prevention hunt; this does not preclude a landowner from utilizing a kill permit or their right to protect their property under WAC 220-440-060.

(d) Persons participating with a damage prevention permit may only hunt within the prescribed area, during the specified season dates, and for the specified animal (e.g., antlerless, deer, elk) as indicated on the permit. If a deer or elk is wounded inside the damage hunt area, it may be pursued outside permit boundaries with adjacent landowner permission.

(e) A hunter who fails to comply with this subsection may be ineligible to participate in the next year's damage permit opportunities.

(3) **Deer:**

(a) Tag Required: Deer hunters must have a current valid big game license, damage deer hunting license or tag and a damage prevention permit on his/her person.

(b) Hunting Method: Any legal weapon (or as specified on the damage prevention permit).

(c) Location: Statewide.

(i) Season Framework: July 1 - March 31.

(ii) Legal Deer: Antlerless Only.

(iii) Kill Quota: 300 per license year.

(d) Location: Region One.

(i) Season Framework: July 1 - March 31.

(ii) Legal Deer: Antlerless Only.

(iii) Kill Quota: 300 per license year.

(e) Location: GMUs 105-124.

(i) Season Framework: July 1 - March 31.

(ii) Legal Deer: Whitetail Antlerless Only.

(iii) Kill Quota: 300 per license year.

(4) **Elk:**

(a) Tag Required: Elk hunters must have a valid big game license, a damage elk hunting license or tag and damage prevention permit on his/her person.

(b) Hunting Method: Any legal weapon.

(c) Location: Eastern Washington - GMUs 100, 200, and 300 series.

(i) Season Framework: July 1 - March 31.

(ii) Legal Elk: Antlerless Only.

(iii) Kill Quota: 200 per license year.

(d) Location: Western Washington - GMUs 400, 500, and 600 series.

(i) Season Framework: July 1 - March 31.

(ii) Legal Elk: Antlerless Only.

(iii) Kill Quota: 100 per license year.

(e) Location: Hanford Area - GMUs 372 and 379.

(i) Legal Elk: Antlerless Only.

(ii) Season Framework: July 1 - March 31.

(iii) Kill Quota: 70 per license year.

(f) Location: Elk Area 3721.

(i) Legal Elk: Spike or antlerless July 1 - March 31; any bull May 15 - June 30.

(ii) Season Framework: May 15 - March 31; as described in (f)(i) of this subsection.

(iii) Kill Quota: 100 Spike or antlerless per license year; 60 bulls per license year.

(g) Location: GMUs 501-578.

(i) Legal Elk: Antlerless Only.

(ii) Kill Quota: 100 per license year.

(h) Access in Elk Area 3721 may not be sold as a condition of use of these permits. The director may consider damage claims from landowners in Elk Areas 3721 and 3722 who accept these permits and do not charge for access.

(5) **General turkey removal criteria:**

(a) Only persons with a damage prevention permit may hunt and take one turkey as designated on the permit.

(b) Hunters must have a valid small game license and an unfilled turkey tag to participate in a damage prevention hunt during the prescribed damage prevention permit period, unless the damage permit specifies otherwise.

(c) Hunters who fill their turkey tag under a damage permit are ineligible to participate in another damage prevention hunt utilizing

a damage prevention permit during the same season in which they already harvested wildlife under a damage prevention hunt.

(d) Persons participating with a damage prevention permit may only hunt within the prescribed area, during the specified season dates, and for the specified animal as indicated on the permit.

(e) A hunter who fails to comply with this subsection may be ineligible to participate in the next year's damage permit opportunities.

(6) **Turkey:**

(a) Tag Required: Turkey hunter must have an appropriate valid, unaltered, unnotched turkey tag or license on his/her person, along with the damage prevention permit.

(b) Hunting Method: Any legal turkey hunting method.

(c) Season Framework: October 1 - March 1.

(d) Location: Statewide.

(e) Legal Turkey: Either sex.

(f) Kill Quota: 300 per license year.

(7) It is unlawful to violate the provisions of this section. Violation of this section is punishable under RCW 77.15.400, 77.15.410, 77.15.430, or 77.15.750(1) depending on the violation. Hunters who violate this section will be punished under RCW 77.15.400, 77.15.410, 77.15.430 depending on the species hunted and circumstances of the violation.

[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 § 220-440-200, 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), § 232-36-310, filed 1/28/16, effective 2/28/16.]