

WSR 24-16-056
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-07—Filed July 31, 2024, 7:25 a.m., effective August 31, 2024]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The purpose of the amendment(s) to WAC 220-415-100 Cougar hunting seasons and regulations, are to add language around the mortality counting period of April 1 - March 31 to subsection (4)(a) and to remove the sunset clause on the 20 percent cap in subsection (3).

Citation of Rules Affected by this Order: Amending WAC 220-415-100.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020 77.04.055, 77.08.030, 77.15.240, 77.15.280, and 77.15.410.

Other Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.08.030, 77.15.240, 77.15.280, and 77.15.410.

Adopted under notice filed as WSR 24-10-080 on April 30, 2024.

Changes Other than Editing from Proposed to Adopted Version: At the fish and wildlife commission (commission) hearing on July 19, 2024, the commission directed department of fish and wildlife staff to edit the proposed language by removing this sentence: "This section will sunset at the end of the 2024-2025 season." and adding this sentence: "The counting of mortalities will commence on April 1 and conclude on March 31 of the following year."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: July 19, 2024.

Barbara Baker
Commission Chair

OTS-5393.4

AMENDATORY SECTION (Amending WSR 22-16-031, filed 7/26/22, effective 8/26/22)

WAC 220-415-100 Cougar hunting seasons and regulations. (1) As used in this section and in the context of general cougar hunting seasons, (~~"harvest guideline" means the estimated allowable harvest; the actual harvest may be less than or more than the harvest guideline~~) "cap" is based on the best available estimate of cougar density and

growth rate. Currently those parameters are estimated at 2.3 cougars per 100 square kilometers and 13 percent intrinsic growth rate. The cap includes all known human-related independent-aged cougar mortality (including harvested cougars, cougars killed in response to conflicts, and any other form of human-caused cougar mortality).

(2) ((Early)) General cougar season is September 1st to ((December 31st, late general cougar season is January 1st to April 30th of the following year)) March 31st. Hunters can use any legal weapon to hunt cougars.

((Harvest guidelines:

~~Implied density in parentheses~~)) (3) In PMUs that reach the 13 percent cap prior to the recreational hunting season starting, the cap will be increased to 20 percent of the population to provide hunting opportunity in those PMUs. When all known human-related independent-aged cougar mortalities in those PMUs meet or exceed 20 percent of the population, the season shall close in those PMUs. Additionally, if opened, the season shall close within 72 hours of that number being reached.

Cap:

Population Management Unit (PMU)	Hunt Area	((Harvest Guideline)) 13 percent Cap	20 percent
1	GMU 101	((7-11(2.6))) <u>8</u>	<u>13</u>
2	GMU 105	((4(3.72))) <u>2</u>	<u>3</u>
3	GMUs 108, 111	((9-11(3.63))) <u>6</u>	<u>8</u>
4	GMU 113	((4-5(1.91))) <u>5</u>	<u>8</u>
5	GMU 117	((11-13(3.57))) <u>7</u>	<u>11</u>
6	GMU 121	((9-11(3.65)*)) <u>6</u>	<u>8</u>
7	GMUs 124, 127, 130	((7-9(2.15))) <u>8</u>	<u>12</u>
8	GMUs 133, 136, 139, 142, 248, 254, 260, 262, 266, 269, 272, 278, 284, 290, 330, 334, 371, 372, 373, 379, 381	None	<u>None</u>
9(**)	GMUs 149, 154, 162, 163	((7-9(3.56*)) <u>4</u>	<u>5</u>
10(**)	GMUs 145, 166, 175, 178	((6-7(3.51))) <u>5</u>	<u>7</u>
11(**)	GMUs 169, 172, 181, 186	((5-6(3.68))) <u>3</u>	<u>5</u>
12	GMU 203	((4-5(1.91))) <u>5</u>	<u>8</u>
13	GMU 204	((6-8(2.17))) <u>7</u>	<u>11</u>
14	GMUs 209, 215	((3-4(1.91))) <u>4</u>	<u>6</u>
15	GMUs 218, 231	((4-5(1.91))) <u>5</u>	<u>8</u>
16	GMU 224	((2(1.91))) <u>2</u>	<u>4</u>
17	GMUs 233, 239	((4-5(2.42))) <u>4</u>	<u>6</u>
18	GMUs 242, 243	((5-6(2.28))) <u>5</u>	<u>8</u>
19	GMUs 244, 246, 247	((4-6(1.91))) <u>6</u>	<u>9</u>
20	GMUs 245, 250	((4-6(1.91))) <u>6</u>	<u>9</u>
21	GMUs 249, 251	((4-6(1.91))) <u>6</u>	<u>9</u>
22	GMUs 328, 329, 335	((8-10(2.79))) <u>7</u>	<u>10</u>
23	GMUs 336, 340, 342, 346	((9-11(3.61))) <u>6</u>	<u>9</u>
24	GMUs 352, 356, 360, 364, 368	((7-9(2.9))) <u>6</u>	<u>9</u>
25	GMUs 382, 388	((3(1.91))) <u>3</u>	<u>5</u>
26	GMU 407	None	<u>None</u>
27	GMUs 418, 426, 437	((10-13(1.91))) <u>13</u>	<u>20</u>
28	GMUs 448, 450	((8-11(1.91))) <u>11</u>	<u>17</u>

Population Management Unit (PMU)	Hunt Area	((Harvest Guideline)) 13 percent Cap	20 percent
29	GMU 454	None	<u>None</u>
30	GMU 460	((4-6 (1.91))) <u>6</u>	<u>9</u>
31	GMUs 466, 485, 490	((2-3 (1.91))) <u>3</u>	<u>4</u>
32	GMUs 501, 504, 506, 530	((6-9 (1.91))) <u>9</u>	<u>13</u>
33	GMUs 503, 505, 520, 550	((5-7 (1.91))) <u>7</u>	<u>11</u>
34	GMUs 510, 513	((3 (1.91))) <u>3</u>	<u>5</u>
35	GMU 516	((3-4 (1.91))) <u>4</u>	<u>6</u>
36	GMUs 524, 554, 556	((3 (1.91))) <u>3</u>	<u>4</u>
37	GMU 560	((4-5 (1.91))) <u>5</u>	<u>8</u>
38	GMU 564	((1 (1.91))) <u>1</u>	<u>2</u>
39	GMU 568	((3 (2.74))) <u>2</u>	<u>4</u>
40	GMU 572	((2-3 (1.91))) <u>3</u>	<u>5</u>
41	GMUs 574, 578	((5-6 (2.82))) <u>4</u>	<u>6</u>
42	GMUs 601, 602, 603, 612	((4-6 (1.91))) <u>6</u>	<u>9</u>
43	GMUs 607, 615	((3-4 (1.91))) <u>4</u>	<u>6</u>
44	GMUs 618, 636, 638	((3-5 (1.91))) <u>5</u>	<u>7</u>
45	GMUs 621, 624, 627, 633	None	<u>None</u>
46	GMUs 642, 648, 651	((6-8 (2.18))) <u>7</u>	<u>11</u>
47	GMUs 652, 666	None	<u>None</u>
48	GMUs 653, 654	((4-5 (1.91))) <u>5</u>	<u>8</u>
49	GMUs 658, 660, 663, 672, 673, 681, 684, 699	((8-11 (1.91))) <u>11</u>	<u>16</u>
50	GMU 667	((6-7 (3.48))) <u>4</u>	<u>6</u>

~~((* Adjusted to stay within realistic density.~~

~~** A second cougar may be harvested in the hunt area with the purchase of a second cougar transport tag.)~~

~~(a) In hunt areas with a ((harvest guideline)) cap, the cougar ((late)) hunting season ((may)) shall close ((on or after January 1st)) in one or more ((GMUs)) PMUs if cougar ((harvest)) mortality meets or exceeds the ((guideline)) cap.~~

~~(b) In hunt areas with a ((harvest guideline, starting January 1st)) cap, cougar hunters may hunt cougar ((from January 1st)) until the hunt area ((harvest guideline)) cap has been met, and the department has notified licensed cougar hunters by posting the hunt area closure on the department's website and on the toll-free cougar hunting hotline, or ((April 30th)) March 31st, whichever occurs first.~~

~~((3) Harvest guideline) (4) Cap system:~~

~~(a) ((All cougar of the appropriate age class killed by licensed hunters during the early and late hunting seasons, shall be counted toward the harvest guideline.)) The cap includes all known human-related independent-aged cougar mortality (including harvested cougars, cougars killed in response to conflicts, and any other form of known human-caused cougar mortality). The counting of mortalities will commence on April 1st and conclude on March 31st of the following year.~~

~~(b) Individual problem cougar will continue to be killed on an as-needed basis utilizing depredation permits, landowner kill permits, and WDFW depredation authority regardless of ((harvest guidelines)) cap.~~

~~(c) It is each cougar hunter's responsibility to verify if the cougar ((late)) hunting season is open or closed in hunt areas with a~~

~~((harvest guideline))~~ cap. Cougar hunters can verify if the season is open or closed by calling the toll-free cougar hunting hotline or visiting the department's website.

~~((4))~~ (d) The department may close hunting in any PMU prior to the cap being reached, upon consideration of factors such as disease, suspected additional mortality, or any other issue affecting the cougar population.

(5) Cougar hunting season requirements and special restrictions.

(a) A valid big game hunting license which includes cougar as a species option is required to hunt cougar.

(b) The statewide bag limit is one cougar per license year statewide ~~((and one additional cougar per license year may only be harvested from the following PMUs 9, 10, and 11));~~ excluding removals authorized under WAC 220-440-030. One cougar transport tag is included with a big game hunting license that has cougar as a species option. ~~((A second cougar transport tag must be purchased to take a second cougar in PMUs 9, 10, and 11; which are comprised of the following GMUs: 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, and 186. Hunters may only purchase the second transport tag after having purchased a license which includes cougar as a species option.))~~ It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

(c) The use of dogs to hunt cougar is prohibited; except by a commission authorized permit (WAC 220-440-030 and 220-412-130).

(d) Any person who takes a cougar must comply with the notification and sealing requirements in WAC 220-400-050.

(e) A special cougar permit is required to hunt cougar in GMU 485.