



# RULE-MAKING ORDER

**CR-103E (May 2009)**  
**(Implements RCW 34.05.360)**

**Agency:** Washington Dept. of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing. **09-268**
- Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** The purpose of this emergency rule is to increase the total and female quotas for the Klickitat hunt zone from 6 and 2 to 10 and 4, respectively.

**Citation of existing rules affected by this order:**

Repealed:  
 Amended: WAC 232-28-285  
 Suspended:

**Statutory authority for adoption:** RCW 77.12.047; 77.12.040; 77.12.020; 77.12.570; 77.12.210

**Other authority :**

**EMERGENCY RULE**

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: The current quota of 6 total cougar or 2 female cougar was set temporarily until more data were collected and more collaboration between the Department and County authorities occurred. During the first year Klickitat County opted into the pilot program, the quota was subjectively set at the average harvest levels. During that first year the quota was met before the pilot cougar season began, making the program ineffective in Klickitat County. The revised quota is based on revised harvest information, extrapolation from cougar research in Kittitas County, cougar population objectives for the area, and objectives for increased public safety and protection of pets and livestock. Increasing the quota to 10 total cougar or 4 females will enable the Department to more effectively test the utility of the pilot cougar program in Klickitat County. There are no negative impacts expected from the increased quota to the long-term viability of cougar populations in Klickitat County.

**Date adopted:** December 16, 2009

**NAME (TYPE OR PRINT)**  
Philip Anderson

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER**  
**STATE OF WASHINGTON**  
**FILED**

**DATE: December 16, 2009**  
**TIME: 10:41 AM**

**WSR 10-01-088**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	1	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

NEW SECTION

**WAC 232-28-28500B 2009-2010 Pilot cougar hunting seasons with the aid of dogs.**

Notwithstanding the provisions of WAC 232-28-285, effective immediately, under (4) Hunt areas and kill quotas, increase the total and female quotas for the Klickitat hunt zone from 6 and 2 to 10 and 4, respectively.