

“GREEN SHEET”

Meeting: August 19, 2011

Agenda Item A: Cougar Seasons and Regulations – **Rule Briefing, Public Hearing, and Rule Action**

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Presented By: Donny Martorello, Ph.D., Carnivore, Furbearer, and Special Species Section Manager, Wildlife Program

Background:

Department staff will brief the Commission on proposed amendments to WAC 232-28-272 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 cougar hunting seasons and regulations; WAC 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit hunting seasons and regulations; and WAC 232-12-243 Public safety cougar removals.

During the past three years, the Department has implemented cougar hunting under three different legislative authorities:

1. General cougar hunting seasons (WACs 232-28-272, 232-28-287) under RCW 77.12.047.
2. Public safety cougar removals with the aid of dogs (WAC 232-12-243) under ESSB 5001.
3. Pilot cougar hunt with the aid of dogs (WAC 232-28-285) under ESHB 2438.

The legislative authority for pilot cougar hunt with the aid of dogs (i.e., ESHB 2438) had a 3-year sunset, which ended on March 31, 2011. The 2011 Legislature did not extend that authority to continue the pilot program. Statute authority for general cougar seasons and public safety cougar removals does not have a sunset clause and remained unchanged. The pilot cougar hunt with the aid of dogs occurred in 5 hunt zones (6 counties) in eastern Washington and comprised roughly half of the total harvest for those zones. With the absence of the pilot cougar program, the Department is recommending the following changes to the 5 hunt zones (no recommended changes in all other zones):

General and Permit Seasons without the aid of dogs

- WAC 232-28-272 provides general season recreational harvest opportunity to hunters. The Department is recommending increasing the length of the any-weapon general season from Oct. 29-Nov. 30 to Oct. 15-Dec. 31 in each of the 5 hunt zones. Data on cumulative harvest through the season suggests the female harvest will likely be near the female harvest guideline for each zone by Dec. 31.
- WAC 232-28-287 provides permit season recreational harvest opportunity (without the use of dogs) to hunters during core snow months. The Department is recommending adding a Jan. 1-Mar. 31 permit season in each of the 5 zones, with between 20-40 permits depending on the size of the zone. The purpose of the permit season is to provide late season opportunity with snow conditions that are conducive for tracking and calling. Because the harvest success is less than 1 percent, the expected harvest is low.

Cougar Management Removals with the aid of dogs

- WAC 232-12-243 provides regulations associated with cougar management removals (i.e., public safety cougar removals) to address human-cougar interactions. It is unknown if reported human-cougar conflicts will increase with the discontinuation of the pilot cougar program in the 5 hunt zones. Cougar complaints have a human-dimensions component
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and involve both real and perceived threats, with different expectations on the Department for each. Given the complexity and uncertainty of this issue, the Department wants to be responsive to both real increases in conflict and the perception that threats have increased. As such, the Department is recommending cougar management removals when the annual or seasonal number of confirmed human-cougar interactions exceeds the 2005-2010 level. Under this structure, permit hunters will be selected using the same process as other species permit opportunities, but will be used on an “as needed” basis similar to damage hunts for ungulates. In addition, the Department is recommending changing the harvest rate to approximately 14 percent, or 1 cougar per 300 square kilometers of complaint area.

Policy Issue(s) you are bringing to the Commission for consideration:

- Increase cougar hunt opportunities without dogs in the 5 hunt zones where the pilot cougar hunt program was discontinued in order to reach and maintain female harvest guidelines.
 - Allow cougar management removals when confirmed complaint levels exceed 2008-2010 levels.
 - Change cougar harvest rate to approximately 14 percent for cougar management removals.
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Public involvement process used and what you learned:

These proposed recommendations were mailed to approximately 600 organizations and individuals for their review and consideration. The Department will also collect public testimony at the August Commission meeting.

Action requested (identify the specific Commission decisions you are seeking):

Take public comment and amend rules as proposed. Rule action was continued to the August 19 Fish and Wildlife Commission Conference Call.

Draft motion language:

I move to amend WAC 232-28-272, 232-28-287, and 232-12-243 as proposed.

Justification for Commission action:

The Commission action maximizes recreation opportunities for cougar, seeks to manage female harvest guidelines as outlined in the Game Management Plan, and addresses reported human-cougar interactions.

These changes meet the approved criteria established by OFM, as a result of the Governor’s Executive Order 10-06, as they are affected by recent changes to state law; are necessary to protect public health, safety, and welfare; and are beneficial to the hunters who would be affected by them (3a; 3d; 3e).

Communications plan:

- News Release
 - Hunting Pamphlets
 - Washington State Register
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