

Cougar Hunting Seasons and Regulations

232-28-297

TABLE OF CONTENTS

	<u>Page</u>
Summary Sheet	1
WAC 232-28-297.....	3
CR102	8

Summary Sheet

Meeting dates: April 9-10, 2015
Agenda item: Cougar hunting seasons and regulations – Rule Briefing and Public Hearing
Presenter(s): Donny Martorello, Ph.D., Carnivore Section Manager, Wildlife Program

Background:

Department staff will brief the Commission on cougar harvest and human-cougar conflict trends. Staff will describe of how the results from these topics are incorporated into the Department's cougar management strategies. Department staff will also brief the Commission on the proposed WAC 232-28-297 2015-2016, 2016-2017, and 2017-2018 Cougar hunting seasons and regulations.

The Department manages for stable cougar populations in all areas of the state, except the Columbia Basin and Puget Sound areas where the habitat is not suitable for cougar. To achieve that objective, the Department's manages for a 12-16 percent harvest rate applied to 49 population manage units (PMUs; not applied to Columbia Basin and Puget Sound units; see 2015-2021 Game Management Plan, pages 111-112).

The Department is recommending a status quo hunt season framework, except with a 1-month extension to April 30; that is, an any weapon early season from September 1 to December 31, followed by an any weapon late season from January 1 to April 30, instead of March 31. Each PMU has a harvest guideline that corresponds to a 12-16 percent harvest rate. Only harvested cougar count toward the harvest guideline. If a PMU harvest guideline is reached during the late season, the Director (under existing Director authorities) may close the season. The cougar season would not be closed in any PMU during the early season, even if the guideline is reached prior to January 1. Starting January 1, cougar hunters may hunt in any PMU until April 30, or until the harvest guideline is reached and the Director closes the seasons, whichever occurs first.

The Department is also recommending splitting the PMU around the Battlegrounds unit (GMUs 564 & 568) into two PMUs to address the differences in harvest opportunity.

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

- Establish cougar hunting seasons with a 12-16 percent harvest rate guideline and apply that harvest guideline to each PMU.
 - Maintain an open cougar season from September 1- December 31. Under Director authority, close cougar hunt season in PMUs that reach or exceed the harvest guideline starting January 1.
 - Extend the late-cougar season by 1-month; from Jan 1 to April 30 of the following year.
-

Public involvement process used and what you learned:

The Department conducted an extensive public involvement process to develop the 2015-2017 hunting season recommendations. In early August, an email was sent to over 50,000 hunters announcing that the Department was beginning the development of the 2015-2017 hunting season package. The email also informed them of the opportunity to provide their comments via an online issue scoping survey and invited them to attend one of the public meetings being held statewide. Four public meetings were held with approximately 150 people in attendance and nearly 4,000 responses were received on the scoping survey. In February, a postcard was mailed to approximately 600 organizations and individuals informing them of the opportunity to provide

comments on the proposed regulations. These organizations and individuals were also informed of the opportunity to provide public testimony at the March Commission Meeting in Moses Lake.

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

Amend WAC 232-28-297 as proposed.

Draft motion language:

I move to amend WAC 232-28-297 as proposed.

Justification for Commission action:

To provide opportunities to hunters, consistent with achieving management objectives.

Communications plan:

WDFW Website
News Releases
Hunting Pamphlet

AMENDATORY SECTION (Amending WSR 13-16-056, filed 8/1/13, effective 9/1/13)

WAC 232-28-297 ((2012-2013, 2013-2014, and 2014-2015)) 2015-2016, 2016-2017, and 2017-2018 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.

(2) General cougar season is September 1 to April 30 of the following year. Season dates and harvest guidelines for each ((license year)) season:

Hunt Area	Harvest Guideline	Early Hunting Season	Late Hunting Season	Legal Weapon
GMU 101	7-9	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMU 105	2	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMUs 108, 111	5-6	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMU 113	4-6	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMU 117	6-8	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMU 121	5-6	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMUs 124, 127, 130	7-9	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMUs 133, 136, 139, 142, 248, 254, 260, 262, 266, 269, 272, 278, 284, 290, 330, 334, 371, 372, 373, 379, 381	None	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMUs 149, 154, 162, 163	4-6	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon
GMUs 145, 166, 175, 178	3-4	Sept. 1 - Dec. 31	Jan. 1 - ((Mar. 31)) <u>Apr. 30</u>	Any Legal Weapon

Hunt Area	Harvest Guideline	Early Hunting Season	Late Hunting Season	Legal Weapon
GMUs 169, 172, 181, 186	3-4	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU 203	4-6	Sept. 1 - Dec. 31	Jan. 1 - Mar. 31	Any Legal Weapon
GMU 204	6-8	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 209, 215	4-5	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 218, 231	4-6	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU 224	2-3	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 233, 239	3-4	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 242, 243	4-6	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 244, 246, 247	5-6	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 245, 250	5-6	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 249, 251	5-6	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 328, 329, 335	6-8	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 336, 340, 342, 346	5-7	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 352, 356, 360, 364, 368	5-7	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 382, 388	3-4	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU 407	None	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 418, 426, 437	11-15	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 448, 450	9-13	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU 454	None	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU 460	5-7	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 466, 485, 490	2-3	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 501, 504, 506, 530	7-10	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 503, 505, 520, 550	6-8	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 510, 513	3-4	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU 516	3-5	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 524, 554, 556	3-4	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU 560	5-6	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU(s) 564((-568))	((3-4)) <u>2-3</u>	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon

Hunt Area	Harvest Guideline	Early Hunting Season	Late Hunting Season	Legal Weapon
<u>GMU 568</u>	<u>2-3</u>	<u>Sept. 1 - Dec. 31</u>	<u>Jan. 1 - Apr. 30</u>	<u>Any Legal Weapon</u>
GMU 572	3-4	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 574, 578	3-5	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 601, 602, 603, 612	5-7	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 607, 615	4-5	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 618, 636, 638	4-5	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 621, 624, 627, 633	None	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 642, 648, 651	6-8	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 652, 666	None	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 653, 654	4-6	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMUs 658, 660, 663, 672, 673, 681, 684, 699	9-12	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon
GMU 667	3-4	Sept. 1 - Dec. 31	Jan. 1 - (Mar. 31) <u>Apr. 30</u>	Any Legal Weapon

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

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

(3) Harvest guideline system:

(a) All cougar killed by licensed hunters during the early and late hunting seasons, and seasons authorized under WAC 232-12-243 shall be counted toward the harvest guideline.

(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.

(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. Cougar hunters can verify if the season is open or closed by calling the toll-free cougar hunting hotline or visiting the department's web site.

(4) 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 (1) cougar per license year; excluding removals authorized under WAC 232-12-243. 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 232-12-243).

(d) Any person who takes a cougar must comply with the notification and sealing requirements in WAC 232-12-024.

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

[Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, and 77.15.245. WSR 13-16-056 (Order 13-180), § 232-28-297, filed 8/1/13, effective 9/1/13. Statutory Authority: RCW 77.12.047. WSR 12-11-005 (Order 12-70), § 232-28-297, filed 5/2/12, effective 6/2/12.]



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Department of Fish and Wildlife

- Preproposal Statement of Inquiry was filed as WSR 14-24-118 filed 12/3/14; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information:

232-28-288 2015-2017 Fall black bear hunting seasons and regulations
 232-28-286 2016, 2017, and 2018 Spring black bear seasons and regulations
 232-12-297 2015-2016, 2016-2017, and 2017-2018 Cougar hunting seasons and regulations

Hearing location(s):

Civic Center
 411 South Balsam Street
 Moses Lake, WA 98837

Date: March 20-21, 2015 Time: 8:00 AM

Submit written comments to:

Name: Wildlife Program Commission Meeting Public Comments
 Address: 600 Capitol Way North,
 Olympia, WA 98501
 e-mail wildthing@dfw.wa.gov
 fax (360) 902-2162 by (date) 2/24/15

Assistance for persons with disabilities: Contact

Tami Lininger by March 1, 2015

TTY (800) 833-6388 or (360) 902-2267

Date of intended adoption: On or after April 9, 2015

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

See attachment A

Reasons supporting proposal:

See attachment A

Statutory authority for adoption: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150 and 77.12.240.

Statute being implemented: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150 and 77.12.240.

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: February 02, 2015

TIME: 1:40 PM

WSR 15-04-085

DATE

February 2, 2015

NAME (type or print)

Joanna Eide

SIGNATURE

TITLE

Rules Coordinator

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

When filing the permanent rule-making order (CR-103P), the WAC sections containing rule amendments will be consolidated into two or three Order Typing Service (OTS) documents.

Name of proponent: (person or organization) Washington Department of Fish and Wildlife

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Nate Pamplin	Natural Resource Building	(360) 902-2515
Implementation....Nate Pamplin	Natural Resource Building	(360) 902-2515
Enforcement..... Steven Crown	Natural Resource Building	(360) 902-2373

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

These rules apply to recreational hunting and do not affect small business.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: This proposal does not involve hydraulics.

WAC 232-28-286 2016, 2017, and 2018 Spring black bear seasons and regulations
WAC 232-28-288 2015-2017 Fall black bear hunting seasons and regulations
WAC 232-28-297 2015-2016, 2016-2017, and 2017-2018 Cougar hunting seasons and regulations

232-28-286 2016, 2017, and 2018 Spring black bear seasons and regulations.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed rule establishes the 2016, 2017, and 2018 spring black bear seasons. The purpose is to: 1) reduce tree damage by bears in western Washington; 2) disperse harvest geographically and reduce female harvest in southeastern Washington; and 3) reduce nuisance and damage activity in northeastern and southwestern Washington, while maintaining long-term sustainable populations in each Black Bear Management Unit (BBMU) --except Puget Sound and Columbia Basin BBMUs. The anticipated effects of the rule are continued recreational harvest opportunities similar to 2013-2015 levels and long-term sustainable bear populations.

Reasons supporting proposal: Spring bear opportunity is provided to address management needs rather than solely for the purpose of providing recreational opportunity. This is due to the public's sensitivity to hunting bears while adult females are accompanied by the young of the year. The Department did not receive any requests for additional spring bear harvest to address the management needs listed above, except for additional bear harvest in northeastern and southwestern Washington to address local bear issues.

232-28-288 2015-2017 Fall black bear hunting seasons and regulations.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed rule establishes the 2015, 2016, and 2017 fall black bear seasons. The purpose is to provide recreational harvest opportunities for black bear, while maintaining long-term sustainable populations in each BBMU --except Puget Sound and Columbia Basin BBMUs. The anticipated effects of the rule are to maintain recreational harvest trends similar to 2012-2014 levels. The anticipated effect to the bear population is a long-term sustainable bear population statewide.

Reasons supporting proposal: The parameters used as population indicators by the Department to evaluate the impacts of hunting on the bear populations are with the acceptable range outlines in the Game Management Plan. Therefore, no significant changes are recommended at this time.

232-12-297 2015-2016, 2016-2017, and 2017-2018 Cougar hunting seasons and regulations.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of the proposal is to establish the 2015-2016, 2016-2017, and 2017-2018 cougar hunting seasons. The proposal establishes hunt areas and associated harvest guidelines for the entire state (except Columbia Basin and Puget Sound Cougar Management Units). The harvest guideline represents a sustainable 12-16 percent harvest rate for each hunt area. The anticipated effects to the cougar population are to maintain a stable population and to maintain an adequate age structure for cougar populations equally distributed across the state.

Reasons supporting proposal: Recently published studies suggest that a 12-16 percent harvest rate of a local cougar population is the maximum harvest rate that still has a high probability for maintaining a stable cougar population along with stable adult male territorial behavior. Harvest rates in excess of 16 percent can result in declines in core populations of breeding females, and excessive male harvest rates result in the loss of adult male territorial behavioral, which acts as a regulatory mechanism for local male cougar numbers.