



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing. 14-23
- 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:** Amend public safety cougar removal rules described in WAC 232-12-243 and file a corrected form.

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

Repealed: 232-12-24300A  
 Amended: 232-12-243  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, and 77.12.150

**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 year 2009, 2010, 2011, 2012, or 2013, 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: This change addresses emerging confirmed human-cougar safety incidents, confirmed cougar-livestock and cougar-pet depredations.

**Date adopted:** January 29, 2014

**NAME (TYPE OR PRINT)**

Phil Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: January 31, 2014**

**TIME: 10:18 AM**

**WSR 14-04-080**

(COMPLETE REVERSE SIDE)

**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	New	_____	Amended	_____	Repealed	_____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		Amended	<u>1</u>	Repealed	1
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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 232-12-24300B Public safety cougar removals.**

Notwithstanding the provisions of WAC 232-12-243, the following provisions are effective immediately, provided that unless otherwise amended, all permanent rules remain in effect:

(1) "Harvest guideline" means the estimated allowable harvest established in WAC 232-28-297; the actual harvest may be less than or more than the harvest guideline.

(2) Public safety cougar removal(s), if warranted will be conducted annually between February 15 and March 31<sup>st</sup>.

(3) Public safety cougar removal permit issuance procedure:

(a) To participate in a public safety cougar removal, individuals must request that his/her name be placed on a list of available participants (participant list) by registering on the Department's website or faxing their request to (360) 902-2162, Attention - Public Safety Cougar Removal. The request must include the individual's WILDID and phone number. An individual's request to be placed on a participant list for a removal period must be submitted on the department's website or received at the department's Olympia office no later than February 7 during the year the removal period begins. To be eligible for a public safety cougar removal permit (permit), the participant must be a Washington resident dog hunter who, at the time of application for a permit, possesses a valid big game license with cougar as a species option. The permit holder must use dogs while participating in a cougar management removal.

(b) To be eligible for a public safety cougar removal permit (permit), the participant must be a Washington resident dog hunter who possesses a valid big game license with cougar as a species option. The permit holder must use dogs while participating in a cougar management removal.

(c) Individuals eligible for participation in a public safety cougar removal will be randomly selected from the participant list. The department will issue a permit to the person whose name is selected from the participant list. Individuals selected will be notified by telephone or mail. Individuals selected must contact the department's wildlife program in Olympia and accept the public safety cougar removal permit within five days of being notified. Failure to contact the department will result in forfeit of the permit and the individual will be placed on the participant list for later selections. Permits may not be sold or reassigned.

(4) Public safety cougar removals: Quota system and participation in public safety cougar removal.

(a) This is a public safety cougar removal administrated by a WDFW designated coordinator. Individuals on the participant list will be contacted on an as-needed basis to conduct removals in portions of GMUs. Not all individuals on the participant list will be contacted in a given year.

(b) Public safety cougar removals will be based on a harvest guideline system established in WAC 232-28-297, where permit holders may hunt cougar until the hunt area harvest guideline has been met and the director has closed the cougar late hunting season or March 31, whichever is first.

(c) It is each cougar hunter's responsibility to verify if the cougar 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.

(d) No more than four total individuals may participate per public safety cougar removal, including the permit holder(s). Only the permit holder, whose name appears on the permit, may take a cougar.

(e) The department reserves the right to accompany permit holders while participating in a public safety cougar removal.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-12-24300A Public safety cougar removals