



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 26, 2022

TIME: 10:05 AM

WSR 22-16-031

Agency: Washington Department of Fish and Wildlife (WDFW) P2022-11

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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 the amendment to WAC 220-415-100 Cougar hunting seasons and regulations is to add additional recreational cougar hunting opportunity in specific geographical areas with the primary purpose of addressing a cougar and ungulate management concern by using recreational hunting through a second cougar harvest opportunity in identified game management units (GMUs). WDFW expects an increase in cougar harvest in the GMUs that constitute the population management units (PMU) 9, 10, and 11, where the Blue Mountain Elk are more susceptible to cougar caused mortality. WDFW also anticipates a corresponding increase in juvenile elk survival in PMUs 9, 10, and 11, where in recent years the agency has observed insufficient juvenile elk survival to achieve population growth or stability in the Blue Mountain elk population. This amendment will add the cougar PMU numbers to each of the hunt areas. This amendment will provide additional hunting opportunity to hunters who elect to pursue a second cougar within the identified GMUs, and clearly identify the PMU numbers and the GMUs associated with each.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-415-100
- Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.055, 77.12.047, 77.08.030

Other authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.08.030

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 22-11-089 on May 18, 2022 (date).
Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Web site:
- Other:

**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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	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 on the agency's own initiative:


New	___	Amended	<u>1</u>	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:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: July 15, 2022	Signature: 
Name: Barbara Baker	
Title: Commission Chair	

AMENDATORY SECTION (Amending WSR 20-11-020, filed 5/12/20, effective 6/12/20)

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.

(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. Hunters can use any legal weapon to hunt cougars.

Harvest guidelines:

(Implied density in parentheses)

Population Management Unit (PMU)	Hunt Area	Harvest Guideline
<u>1</u>	GMU 101	7-11 (2.6)
<u>2</u>	GMU 105	4 (3.72)
<u>3</u>	GMUs 108, 111	9-11 (3.63)
<u>4</u>	GMU 113	4-5 (1.91)
<u>5</u>	GMU 117	11-13 (3.57)
<u>6</u>	GMU 121	9-11 (3.65)*
<u>7</u>	GMUs 124, 127, 130	7-9 (2.15)
<u>8</u>	GMUs 133, 136, 139, 142, 248, 254, 260, 262, 266, 269, 272, 278, 284, 290, 330, 334, 371, 372, 373, 379, 381	None
<u>9**</u>	GMUs 149, 154, 162, 163	7-9 (3.56)*
<u>10**</u>	GMUs 145, 166, 175, 178	6-7 (3.51)
<u>11**</u>	GMUs 169, 172, 181, 186	5-6 (3.68)
<u>12</u>	GMU 203	4-5 (1.91)
<u>13</u>	GMU 204	6-8 (2.17)
<u>14</u>	GMUs 209, 215	3-4 (1.91)
<u>15</u>	GMUs 218, 231	4-5 (1.91)
<u>16</u>	GMU 224	2 (1.91)
<u>17</u>	GMUs 233, 239	4-5 (2.42)
<u>18</u>	GMUs 242, 243	5-6 (2.28)
<u>19</u>	GMUs 244, 246, 247	4-6 (1.91)
<u>20</u>	GMUs 245, 250	4-6 (1.91)
<u>21</u>	GMUs 249, 251	4-6 (1.91)
<u>22</u>	GMUs 328, 329, 335	8-10 (2.79)
<u>23</u>	GMUs 336, 340, 342, 346	9-11 (3.61)
<u>24</u>	GMUs 352, 356, 360, 364, 368	7-9 (2.9)
<u>25</u>	GMUs 382, 388	3 (1.91)
<u>26</u>	GMU 407	None
<u>27</u>	GMUs 418, 426, 437	10-13 (1.91)
<u>28</u>	GMUs 448, 450	8-11 (1.91)
<u>29</u>	GMU 454	None
<u>30</u>	GMU 460	4-6 (1.91)
<u>31</u>	GMUs 466, 485, 490	2-3 (1.91)

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

* 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, 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 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, whichever occurs first.

(3) Harvest guideline 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.

(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 website.

(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 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.