

## **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: April 18, 2025 TIME: 11:55 AM

WSR 25-09-099

Agency: Washington Department of Fish and Wildlife (WDFW) 2024-16A
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 amendments to WAC 220-415-100 is to specify the following:
(a) The harvest caps for cougar harvest seasons by Cougar Hunt Management Unit;
(b) The mortalities that count towards the cap (harvest and conflict);
(c) Weekly closure updates to the cougar hotline and website.
(c) Weekly closure updates to the cougar nothine and website.
For more detail, the department has made the following specific amendments:
All independent-aged harvested or removed cougars shall count towards the total cougar mortality cap;
2. The cougar hunting season will begin September 1 and end March 31;
3. All human-conflict and hunter harvest cougar mortality shall count toward the total cougar mortality cap;
<ol><li>Closures will occur weekly on Thursdays throughout the harvest season. This will allow hunters to check closures prior to the weekend so they can hunt remotely without the need to verify if their hunt unit is open for cougar harvest.</li></ol>
phor to the weekend so they can num remotely without the need to verify it their num unit is open for cougar harvest.
The purpose of the amendments to WAC 220-400-050 is to update the requirements of sealing of pelts and collection of
biological information for river otter, cougar, lynx and bobcat.
biological information for fiver otter, cougar, lynx and bobcat.
The amendments specify the following:
(a) That cougars must be sealed within three business days of the harvest;
(b) The cougar hotline reporting language is removed and no longer required;
(c) The information that is needed for submitting a bobcat or otter pelt for sealing;
(d) To allow taxidermists/fur buyers to receive sealed bobcat pelts for later jaw submission by the hunter.
(d) To allow taxidernists/ful buyers to receive sealed bobcat pelts for later jaw submission by the number.
Citation of rules affected by this order:
New:
Repealed:
Amended: WACs 220-415-100 and 220-400-050.
Suspended:
Statutory authority for adoption: RCWs 77.04.012, 77.04.020, 77.04.055, 77.08.030, 77.12.047, 77.15.010, 77.15.020,
77.15.160, 77.15.240, 77.15.245, 77.15.280, and 77.15.410.
Other authority: None.
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PERMANENT RULE (Including Expedited Rule Making)
Adopted under notice filed as <u>WSR 25-04-101</u> on <u>February 4, 2025</u> (date).  Describe any changes other than editing from proposed to adopted version: None.
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 le No descriptive text		ank, it w	ill be cal	culated	l as zero.	
Count by whole WAC sections only A section may be c					story note.	
The number of sections adopted in order to comply	y 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	a nongc	overnmenta	l entity:			
	New		Amended		Repealed	
The number of coefficient adopted on the agency's o	swe init	iativa				
The number of sections adopted on the agency's o			A a .a .al a .al	0	Danaslad	
	New		Amended		Repealed	
The number of sections adopted in order to clarify,	, strean	nline, or ref	orm agency	procedur	es:	
	New		Amended		Repealed	
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	
	— т.	<b></b>				
Date Adopted: April 9, 2025		Signature:				
Name: Barbara Baker				Bal	lu (	
Title: WDFW Commission Chair						

- WAC 220-415-100 Cougar hunting seasons and regulations. It is unlawful to fail to comply with the provisions below. A violation of this section is punishable under RCW 77.15.410, 77.15.245, or 77.15.280.
- (1) As used in this section and in the context of general cougar hunting seasons, "cap" is based on the best available estimate of independent-aged cougar density and growth rate. ((Currently those parameters are estimated at 2.3 cougars per 100 square kilometers and 13 percent intrinsic growth rate. The cap includes all known human-related independent-aged cougar mortality (including harvested cougars, cougars killed in response to conflicts, and any other form of human-caused cougar mortality).)) Cougar mortalities that count towards the cap include independent-aged harvested cougars and cougars killed in response to conflict.
- (2) General cougar season is September 1st to March 31st. Hunters can use any legal weapon to hunt cougars.
- (3) (In PMUs that reach the 13 percent cap prior to the recreational hunting season starting, the cap will be increased to 20 percent of the population to provide hunting opportunity in those PMUs. When all known human-related independent-aged cougar mortalities in those PMUs meet or exceed 20 percent of the population, the season shall close in those PMUs. Additionally, if opened, the season shall close within 72 hours of that number being reached.)) If a cougar data analysis unit's (CDAU) three-year average during the three-year season setting process is greater than 16 percent mortality, then the cougar hunt management units (CHMU) that were over 16 percent within that CDAU will receive a 10 percent cap, while the remaining CHMUs in that CDAU will receive a 16 percent cap. If a CDAU's three-year average during the three-year season setting process is less than 16 percent mortality, then the CHMUs within that CDAU will receive a 16 percent cap.

Caps by Hunt Area:

((Population Management Unit (PMU)	Hunt Area	13 percent Cap	20 percent
1	GMU 101	8	13
2	GMU 105	2	3
3	GMUs 108, 111	6	8
4	GMU 113	5	8
5	GMU 117	7	11
6	GMU 121	6	8
7	GMUs 124, 127, 130	8	12
8	GMUs 133, 136, 139, 142, 248, 254, 260, 262, 266, 269, 272, 278, 284, 290, 330, 334, 371, 372, 373, 379, 381	None	None
9	GMUs 149, 154, 162, 163	4	5
10	GMUs 145, 166, 175, 178	5	7
11	GMUs 169, 172, 181, 186	3	5
12	GMU 203	5	8
13	GMU 204	7	11

((Population Management Unit (PMU)	Hunt Area	13 percent Cap	20 percent
14	GMUs 209, 215	4	6
15	GMUs 218, 231	5	8
16	GMU 224	2	4
17	GMUs 233, 239	4	6
18	GMUs 242, 243	5	8
<del>19</del>	GMUs 244, 246, 247	6	9
20	GMUs 245, 250	6	9
21	GMUs 249, 251	6	9
22	GMUs 328, 329, 335	7	10
23	GMUs 336, 340, 342, 346	6	9
24	GMUs 352, 356, 360, 364, 368	6	9
25	GMUs 382, 388	3	5
26	GMU 407	None	None
27	GMUs 418, 426, 437	13	20
28	GMUs 448, 450	11	17
<del>29</del>	GMU 454	None	None
30	GMU 460	6	9
31	GMUs 466, 485, 490	3	4
32	GMUs 501, 504, 506, 530	9	13
33	GMUs 503, 505, 520, 550	7	11
34	GMUs 510, 513	3	5
35	GMU 516	4	6
<del>36</del>	GMUs 524, 554, 556	3	4
37	GMU 560	5	8
38	GMU 564	1	2
39	GMU 568	2	4
40	GMU 572	3	5
41	GMUs 574, 578	4	6
42	GMUs 601, 602, 603, 612	6	9
43	GMUs 607, 615	4	6
44	GMUs 618, 636, 638	5	7
45	GMUs 621, 624, 627, 633	None	None
46	GMUs 642, 648, 651	7	11
47	GMUs 652, 666	None	None
48	GMUs 653, 654	5	8
49	GMUs 658, 660, 663, 672, 673, 681, 684, 699	#	16
50	GMU 667	4	6))

Cougar Hunt Management Unit (CHMU)	Hunt Area	<u>Cap</u>
<u>1</u>	<u>GMU 101</u>	<u>10</u>
<u>2</u>	<u>GMU 105</u>	<u>3</u>
<u>3</u>	GMUs 108, 111	4
<u>4</u>	GMU 113	7
<u>5</u>	GMU 117	<u>5</u>

Cougar Hunt Management Unit (CHMU)	Hunt Area	<u>Cap</u>
<u>6</u>	<u>GMU 121</u>	<u>4</u>
<u>7</u>	<u>GMU 124</u>	<u>3</u>
8	GMUs 127, 130	<u>4</u>
9	GMUs 133, 136	<u>5</u>
<u>10</u>	GMUs 139, 142	<u>1</u>
<u>11</u>	GMUs 145, 166, 175, 178	<u>3</u>
<u>12</u>	GMUs 149, 154, 162, 163	<u>4</u>
<u>13</u>	GMUs 169, 172, 181, 186	<u>3</u>
<u>14</u>	GMU 203	<u>6</u>
<u>15</u>	GMU 204	<u>9</u>
<u>16</u>	GMUs 209, 215	<u>5</u>
<u>17</u>	GMUs 218, 231	<u>6</u>
<u>18</u>	GMU 224	<u>3</u>
<u>19</u>	GMUs 233, 239	<u>5</u>
<u>20</u>	GMUs 242, 243	<u>6</u>
<u>21</u>	GMUs 244, 246, 247	7
<u>22</u>	GMUs 245, 250	7
<u>23</u>	GMUs 248, 254, 260, 262, 266, 269	8
<u>24</u>	GMUs 249, 251	7
<u>25</u>	GMUs 272, 278, 284, 290	<u>5</u>
<u>26</u>	GMUs 328, 329, 330, 334, 335	8
<u>27</u>	GMUs 336, 340, 342, 346	7
28	GMUs 352, 356, 360, 364, 368	<u>7</u>
<u>29</u>	GMUs 371, 372, 373, 379, 381	<u>3</u>
30	GMUs 382, 388	<u>3</u>
31	GMU 407	<u>6</u>
32	GMU 418	<u>6</u>
33	GMUs 426, 437	9
34	GMU 448	<u>10</u>
<u>35</u>	GMU 450	<u>3</u>
<u>36</u>	GMU 454	<u> 2</u>
<u>37</u>	GMU 460	<u> </u>
38	GMUs 466, 485*	<u> </u>
39	GMUs 501, 504, 506, 530	<u> </u>
<u>40</u>	GMUs 503, 505, 520, 550	<u>8</u>
41	GMUs 510, 513	<u> </u>
<u>42</u>	GMU 516	<u> </u>
43	GMUs 524, 554, 556	3
44	GMUs 560, 572	<u>10</u>
45	GMU 564	<u>1</u>
46	GMU 568	<u>3</u>
47	GMU 574	<u>2</u>
48	GMU 578	<u> </u>
49	GMUs 601, 602, 603, 612	<u> </u>

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Cougar Hunt Management Unit (CHMU)	Hunt Area	<u>Сар</u>
<u>50</u>	GMUs 607, 615, 618	<u>6</u>
<u>51</u>	GMUs 621, 624	7
<u>52</u>	GMU 627	<u>2</u>
<u>53</u>	GMUs 633, 636, 651	8
<u>54</u>	GMUs 638, 642, 648	<u>8</u>
<u>55</u>	GMUs 652, 666	4
<u>56</u>	GMUs 653, 654	<u>6</u>
<u>57</u>	GMUs 658, 660, 663, 672, 673, 681, 684, 699	<u>13</u>
<u>58</u>	GMU 667	4

## \* A special permit to hunt deer or elk in GMU 485 is required to hunt cougar in GMU 485.

- (a) (( $\overline{\text{In hunt areas with a cap_r}$ ))  $\underline{\text{T}}$ he cougar hunting season shall close in one or more (( $\overline{\text{PMUs}}$ ))  $\underline{\text{CHMUs}}$  if cougar mortality meets or exceeds the  $\underline{\text{assigned}}$  cap.  $\underline{\text{Additionally, if opened, the season shall}}$  close on the Thursday following the cap being reached.
- (b) (( $\overline{\text{In hunt areas with a cap_r}$ )) Cougar hunters may hunt cougar until the hunt area cap 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 March 31st, whichever occurs first.
  - (4) Cap system:
- (a) The cap includes all ((known)) hunter harvest and known human conflict-related independent-aged cougar mortality (((including harvested cougars, cougars killed in response to conflicts, and any other form of known human-caused cougar mortality))). The counting of mortalities will commence on April 1st and conclude on March 31st of the following year.
- (b) ((Individual problem cougar will continue to be killed on an as-needed basis utilizing)) Agency authorized removals, including depredation permits, landowner kill permits, and WDFW depredation authority, will continue regardless of cap.
- (c) It is each cougar hunter's responsibility to verify if the cougar hunting season is open or closed in hunt areas with a cap. 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.
- (d) The department may close hunting in any  $((\frac{PMU}{}))$  CHMU prior to the cap being reached, upon consideration of factors such as disease, suspected additional mortality, or any other issue affecting the cougar population.
- (5) Cougar hunting season requirements and special restrictions( $(\cdot)$ ):
- (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 cougar per license year statewide; 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.
- (c) It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.
- $((\frac{(c)}{c}))$  (d) The use of dogs to hunt cougar is prohibited; except by a commission authorized permit (WAC 220-440-030 and 220-412-130).

(( $\frac{(d)}{(d)}$ ))  $\underline{(e)}$  Any person who takes a cougar must comply with the notification and sealing requirements in WAC 220-400-050. (( $\frac{(e)}{(e)}$  A special cougar permit is required to hunt cougar in GMU

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

- (1) It is unlawful to possess river otter, cougar, lynx, or bobcat taken in Washington without a department identification seal which has been attached to the raw pelt, on or off the carcass, prior to the pelt sealing deadline.
- (2) The raw pelt of a bobcat or river otter must be presented to an authorized department employee, or authorized individual under permit with the department, for sealing by April 20th, and the associated harvest report must be submitted to the department by April 20th ((after)), following the close of the appropriate hunting or trapping season in which it was killed.

Any person who ((takes)) submits a bobcat pelt for sealing must also present a ((cleaned and air-))dried complete lower jaw (both sides) from the same animal, in such a manner that the canine tooth can be extracted for aging, to an authorized department employee, or authorized individual under permit with the department, at the time of sealing before a pelt seal will be issued. Bobcats being sent to WDFW licensed taxidermists or sold to WDFW licensed fur buyers may be sealed prior to jaw submission so long as the harvester signs a statement requiring that they will submit the jaw to the department by the April 20th deadline, following the close of the appropriate hunting or trapping season in which it was killed.

Any person who submits a bobcat or river otter pelt for mandatory sealing must have collected the following appropriate and accurate information from the harvester that is required for sealing: The harvester's name and WILD ID, date and location of kill, sex of the harvested animal, and harvest method.

(3) Any person who takes a cougar ((without the use of dogs must notify the department within 72 hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. Any person who takes a cougar with the use of dogs must notify the department within 24 hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal.)) must present the raw pelt ((of a cougar must be presented)) of the cougar, with evidence of sex attached, to an authorized department employee for sealing within ((five)) three days (excluding weekends and holidays) of ((the notification of kill)) harvest.

Any person who takes a cougar must  $\underline{also}$  present the cougar skull, in such a manner that teeth and biological samples can be extracted, to an authorized department employee at the time of sealing  $\underline{and}$   $\underline{provide}$  the hunter's name, date and location of kill, and  $\underline{sex}$  of the  $\underline{animal}$ .

- (4) It is unlawful to transport, or cause the transport, out of Washington a raw pelt of river otter, cougar, lynx, or bobcat taken in Washington without a department seal attached to the pelt.
- (5) The raw pelt of a river otter, cougar, lynx, or bobcat taken outside Washington and imported into the state must be identified by a tag, seal or permit consistent with federal, state or country of origin laws and be accompanied by an invoice, declaration or permit specifying the number of pelts in the shipment.

(6) It is unlawful to possess an unlocked, broken, or otherwise open department seal for river otter, cougar, lynx, or bobcat unless the seal wire or band has been cut through and removed from a pelt that has been received and invoiced by a licensed taxidermist or fur dealer for processing or removed from a pelt that has been processed, except that individuals authorized by the department to seal pelts may possess open, unbroken seals.