

## **Concise Explanatory Statement Cougar hunting seasons and sealing**

### **Rules amended as part of this rulemaking:**

WAC 220-415-100	Cougar hunting seasons and regulations
WAC 220-400-050	Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat

### **Rules repealed as part of this rulemaking:**

N/A

### **Rules created as part of this rulemaking:**

N/A

#### **1. Background/Summary of Project:**

#### **WAC 220-415-100 Cougar hunting seasons and regulations:**

The purpose of the proposed changes to this WAC were to specify the harvest caps for cougar harvest seasons by Cougar Hunt Management Unit (previously PMUs), to specify what mortalities count towards the cap (harvest and conflict), and to specify that the cougar hotline and website will be updated for closures weekly. Specifically, the amendments, if adopted as proposed, do the following:

1. 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.
4. The season shall close in Cougar Hunt Management Units once the cap has been reached.
5. 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.

Harvest framework: Harvest caps are limits set on cougar mortality by Cougar Hunt Management Unit following the intrinsic growth rate of cougars (10-16%). Caps were set using the following structure: In Cougar Data Analysis Units where the total cougar mortality exceeds 16% when averaged over the prior complete three-year period, the Cougar Hunt Management Units within that Cougar Data Analysis Unit that are over 16% receive a 10% cap until the next

three-year season setting period; the remaining Cougar Hunt Management Units receive a 16% cap. In Cougar Data Analysis Units where the total cougar mortality remains below 16% when averaged over the prior complete three-year period, the Cougar Hunt Management Units within those Cougar Data Analysis Units will receive a 16% cap. Caps will be reevaluated at the next three-year season setting period.

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

The purpose of the changes to this WAC is to specify the following: that cougars must be sealed within three business days of the harvest, the cougar hotline reporting language is removed and no longer required, what information is needed for submitting a bobcat or otter pelt for sealing, and to allow taxidermists/fur buyers to receive sealed bobcat pelts for later jaw submission by the hunter.

**2. Reasons for adopting the rule:**

**WAC 220-415-100 Cougar hunting seasons and regulations:**

The amendments will provide a more robust framework for WDFW to manage cougar populations to maintain population stability and adult male territoriality. This proposed management framework is based on Washington cougar research and was created through a collaborative effort including regional biologists, species specialists, management staff, and scientists.

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

The amendments will allow WDFW to remove the cougar reporting hotline, which was hardly used, and require cougars be brought in for sealing within three days of harvest. This shortens the total reporting time required by hunters, but it allows staff to account for cougar mortality at a faster and timelier rate, especially since many of the public were already getting their cats sealed before calling the hotline, which had a three-day reporting requirement. Finally, the amendments, if adopted as proposed, will also clarify the rulemaking around collecting lower bobcat jaws and specify what information is needed to get bobcat and otter pelts sealed.

**3. Differences between the text of the proposed rule and the rule as adopted:**

None

**4. Public comments, response to comments, and consideration of comments**

## **WAC 220-415-100 Cougar hunting seasons and regulations:**

Comment Themes: General support; general opposition; no changes to the current rule (include 20%)

Response: The Department appreciates your input on the recommended changes for Cougar hunting seasons and regulations.

Comment Themes: cougars have intrinsic value; no cougar hunting

Response: Cougars are an important piece of our ecological landscape. The department manages the cougar population for multiple uses, including conservation of the species, hunting opportunity, viewing opportunity, tribal use, and so on.

Comment Themes: follow the science and biologists' recommendations

Response: Thank you for supporting the department's staff and their science-driven recommendations.

Comment Themes: Use 13% instead of 16%; wait for the data; do not drop the cap to 10%; use a cap of 20%+; no caps in human populated areas

Response: Department staff considered your recommendations, but instead suggested a scientifically-derived harvest framework for managing cougars for population stability and territoriality while offering harvest opportunity, which is the department's mandate.

Comment Themes: CHMUs will close before the harvest season starts

Response: That is a possibility due to excessive conflict removals in an area. Department staff suggested a scientifically-derived harvest framework for managing cougars for population stability and territoriality while offering harvest opportunity, which is the department's mandate. There are many different hunt areas that will remain open, even if some close due to conflict before the season opens.

Comment Themes: year-round cougar season, start August 1, end Apr 30

Response: Department staff suggested a scientifically-derived harvest framework for managing cougars for population stability and territoriality while offering harvest opportunity, which is the department's mandate. The cougar hunting season is one of the longest harvest seasons in the department (i.e., 7 months).

Comment Themes: Manage at the GMU level

Response: Department staff suggested a scientifically-derived harvest framework for managing cougars for population stability and territoriality at the population management scale, while offering harvest opportunity.

Comment Themes: Conflict mortalities should not count toward the cap, it's unfair to sportsmen

Response: The intrinsic rate of growth was modeled to account for harvest and conflict removals because those are aspects that the department can manage. The department is currently working on an internal policy, Policy 5401 Dangerous Wildlife, to improve our conflict response and to hopefully reduce the number of removals that occur due to conflict. Reducing conflict removals will allow for more cougars on the landscape that are available for hunter harvest opportunity.

Comment Themes: There are too many cougars causing ungulate declines and human safety concerns; there are too many predators in the northeast; the science is insufficient

Response: While we do need to continually update our density estimates for cougars on the landscape, the department has performed multiple research projects that provided an overall density estimate for the state. Their intrinsic growth rate was also measured from this research using the available science that the department has for cougar. The department is managing cougar within their range of intrinsic growth rate to attempt to keep a stable cougar population on the landscape. Note that some research supports that a stable cougar population leads to less conflict, while other research supports that increased harvest pressure on the population also can lead to less conflict. The department is attempting to manage with both ideals in mind by maximizing opportunity within the scientific estimate of the intrinsic growth rate.

Comment Themes: Focus on cougar conflict and not on reducing hunting opportunity; Licensed cougar hunters should be used for conflict removal; Increase the cap to reduce conflict

Response: The department is managing cougar within their range of intrinsic growth rate to attempt to keep a stable cougar population on the landscape. It is important to note that some research supports that a stable cougar population leads to less conflict, while other research supports that increased harvest pressure on the population also can lead to less conflict. The department is attempting to manage with both ideals in mind by maximizing opportunity within the scientific estimate of the intrinsic growth rate. Additional opportunity would potentially put harvest outside of the intended threshold and is not the department's goal for management.

Comment Themes: Create a special permit hound hunt for controlled harvest management

Response: While the use of dogs may make harvest of adult males more accurate for hunters, hound hunting for cougars is illegal in Washington (RCW 77.15.245).

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

Comment Themes: General support; general opposition; don't allow trapping; don't collect lower jaws

Response: The department appreciates your input on the recommended changes for Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

Comment Themes: Three days to seal cougars is too extreme; require a longer pelt sealing window (10 days, etc); Department staff aren't available often enough for a 3-day sealing window to work

Response: The majority of people who take a cougar have been reporting their cougars directly to WDFW staff within the three-day hotline reporting window. Requiring that cougars be sealed within three business days allows time for hunters to prepare their carcass and/or exit the woods, as well as gives staff three days to respond to each cougar seal. The department expects this to not be an issue for most but will evaluate the turnaround time from the first year to determine if a rule change needs to occur for feasibility purposes.