2025 Bear and Cougar Rulemaking

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2025 Fall Bear and Cougar Rulemaking – Briefing or Decision

WAC 220-415-090, 220-415-100, and 220-400-050

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Fish and Wildlife Commission Presentation Summary Sheet

Meeting date: March 21, 2025

Agenda item: Bear and Cougar Rulemaking

Presenter(s):

Stephanie Landry, Carnivore Section Manager, Wildlife Program Anis Aoude, Game Division Manager, Wildlife Program

Background summary:

Department staff will brief the Commission on the proposed amendments to WAC 220-415-090 – Fall black bear hunting seasons and regulations, WAC 220-415-100 – Cougar hunting seasons and regulations, and WAC 220-400-050 – Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

Staff recommendation:

For WAC 220-415-090, Department staff recommend a fall general black bear harvest season that runs from August 1 – November 15 with a 2-bear bag limit *UNLESS* the BBMU is not managed for a growing or stable population (i.e., Urban BBMU) or the BBMU has a mortality rate over the last 3 years that exceeds the intrinsic growth rate (i.e., >8% mortality). Only the Willapa Hills BBMU was over the intrinsic growth rate and managed for a growing or stable population. Therefore, the Willapa Hills BBMU is recommended to have a season from August 15 – November 15 with a 1 bear bag limit. Additionally, the Okanogan BBMU was recommended by the district biologists for that area to be treated similarly due to a lower density observed by on-the-ground investigations in that BBMU. Therefore, the Okanogan BBMU is also recommended to have a season from August 157, 410-417, 419-424, 490, 522, and 655. All other BBMUs are recommended to follow the general season guidelines mentioned above. Department staff also recommend making the harvest of cubs or females with cubs illegal and requiring that bear tooth samples be submitted by December 01 of the current hunt season. Lastly, Department staff recommend increasing the GMUs that require the bear ID test for hunting black bear in those GMUs to include all potential areas where a grizzly bear may disperse to or has dispersed to in the past.

For WAC 220-415-100, Department staff recommend the selected harvest framework that was voted on in December 2024 by the Commission for a cougar general harvest season that runs from Sept 1 – March 31 using a harvest cap that, when met, closes the designated area (Cougar Hunt Management Unit) to further hunting-related harvest mortality. These closures are recommended to be updated weekly on Thursdays throughout the harvest season.

For WAC 220-400-050, Department staff recommend changing the sealing requirements for cougars from having to call in/report their harvest within 3 days and seal the cougar within 5 days of harvest to requiring that cougars must be sealed within 3 days of harvest without having a call-in reporting requirement. This allows staff to input the most critical details of the harvest and to account for the harvest at a faster rate for improved harvest management. Additionally, most hunters were already sealing their harvests within the 3-day window required for reporting and avoiding the call-in reporting option. Staff also recommend requiring proof of sex be left attached to the cougar at the time of sealing.

Additionally in WAC 220-400-050, Department staff recommend clarifying that bobcat pelts may be sealed prior to jaw submission if the hunter or trapper is sending the bobcat to a WDFW licensed taxidermist or fur dealer and must attest that they will submit the lower jaw to WDFW before the sealing deadline of April 20. Lastly, staff recommend clarifying what information is needed to have a bobcat or river otter pelt sealed by the Department or a licensed WDFW sealer, which includes the hunter/trapper's name, WILD ID, location and date of harvest, sex of harvested animal, and the harvest method.

Policy issue(s) and expected outcome:

• Maximizing recreational hunting opportunity while controlling wildlife populations.

Fiscal impacts of agency implementation:

None.

Public involvement process used and what you learned:

The Department notified individuals and organizations via news release and email, informing them of the opportunity to provide comment on the proposed regulation amendments. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at today's Commission meeting.

Action requested and/or proposed next steps:

Department staff will review all public comment and testimony after the public comment period closes and prepare a recommendation. A decision will be requested by department staff at the April 3-5, 2025 Commission Meeting.

Draft motion language:

N/A – Briefing and public hearing only.

Form revised 1-20-21

AMENDATORY SECTION (Amending WSR 24-16-056, filed 7/31/24, effective 8/31/24)

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 <u>independent-aged</u> 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 humanrelated 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.

((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,	None	None

Caps by Hunt Area:

((Population Management Unit (PMU)	Hunt Area	13 percent Cap	20 percent
	330, 334, 371, 372, 373, 379, 381		
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	++
14	<u>GMUs 209, 215</u>	4	6
15	<u>GMUs 218, 231</u>	5	8
16	GMU 224	2	4
17	GMUs 233, 239	4	6
18	GMUs 242, 243	5	8
19	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
29	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	
34	GMUs 510, 513	3	5
35	<u>GMU 516</u>	4	6
36	GMUs 524, 554, 556	3	4
37	GMU 560	5	8
38	GMU 564	1	2
39	GMU 568	2	4
40	<u>GMU 572</u>	3	
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	11011C
47	GMUs 652, 666	None	None
48	GMUs 653, 654	5	8
4 9	GMUs 658, 660, 663, 672, 673, 681,	y	

((Population Management Unit (PMU)		Hunt Area	13 percent Cap	20 percen
	684, 699			
50	GMU 667		4	6))
<u>Cougar Hunt Ma</u> <u>Unit (CHN</u>		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>	
3		<u>GMUs 108, 111</u>	<u>4</u>	
4		<u>GMU 113</u>	<u>7</u>	
<u>5</u>		<u>GMU 117</u>	<u>5</u>	
<u>6</u>		<u>GMU 121</u>	<u>4</u>	
7		<u>GMU 124</u>	<u>3</u>	
8		<u>GMUs 127, 130</u>	<u>4</u>	
<u>9</u>		<u>GMUs 133, 136</u>	<u>5</u>	
<u>10</u>		<u>GMUs 139, 142</u>	<u>1</u>	
<u>11</u>		<u>GMUs 145, 166, 175, 178</u>	<u>3</u>	
<u>12</u>		<u>GMUs 149, 154, 162, 163</u>	<u>4</u>	
<u>13</u>		<u>GMUs 169, 172, 181, 186</u>	<u>3</u>	
<u>14</u>		<u>GMU 203</u>	<u>6</u>	
<u>15</u>		<u>GMU 204</u>	<u>9</u>	
<u>16</u>		<u>GMUs 209, 215</u>	<u>5</u>	
<u>17</u>		<u>GMUs 218, 231</u>	<u>6</u>	
<u>18</u>		<u>GMU 224</u>	<u>3</u>	
<u>19</u>		<u>GMUs 233, 239</u>	<u>5</u>	
<u>20</u>		<u>GMUs 242, 243</u>	<u>6</u>	
<u>21</u>		<u>GMUs 244, 246, 247</u>	<u>7</u>	
<u>22</u>		<u>GMUs 245, 250</u>	<u>7</u>	
23		<u>GMUs 248, 254, 260, 262, 266, 269</u>	<u>8</u>	
<u>24</u>		<u>GMUs 249, 251</u>	<u>7</u>	
<u>25</u>		<u>GMUs 272, 278, 284, 290</u>	<u>5</u>	
<u>26</u>		<u>GMUs 328, 329, 330, 334, 335</u>	<u>8</u>	
<u>27</u>		<u>GMUs 336, 340, 342, 346</u>	<u>7</u>	
<u>28</u>		<u>GMUs 352, 356, 360, 364, 368</u>	<u>7</u>	
<u>29</u>		<u>GMUs 371, 372, 373, 379, 381</u>	<u>3</u>	
<u>30</u>		<u>GMUs 382, 388</u>	<u>3</u>	
<u>31</u>		<u>GMU 407</u>	<u>6</u>	
32		<u>GMU 418</u>	<u>6</u>	
33		<u>GMUs 426, 437</u>	<u>9</u>	

<u>Cougar Hunt Management</u> <u>Unit (CHMU)</u>	Hunt Area	Cap
34	<u>GMU 448</u>	<u>10</u>
35	<u>GMU 450</u>	<u>3</u>
<u>36</u>	<u>GMU 454</u>	<u>2</u>
<u>37</u>	<u>GMU 460</u>	7
38	<u>GMUs 466, 485*</u>	<u>2</u>
<u>39</u>	<u>GMUs 501, 504, 506, 530</u>	<u>11</u>
<u>40</u>	<u>GMUs 503, 505, 520, 550</u>	<u>8</u>
<u>41</u>	<u>GMUs 510, 513</u>	<u>4</u>
<u>42</u>	<u>GMU 516</u>	<u>5</u>
<u>43</u>	<u>GMUs 524, 554, 556</u>	<u>3</u>
<u>44</u>	<u>GMUs 560, 572</u>	<u>10</u>
<u>45</u>	<u>GMU 564</u>	<u>1</u>
<u>46</u>	<u>GMU 568</u>	<u>3</u>
<u>47</u>	<u>GMU 574</u>	<u>2</u>
48	<u>GMU 578</u>	<u>2</u>
<u>49</u>	<u>GMUs 601, 602, 603, 612</u>	<u>7</u>
<u>50</u>	<u>GMUs 607, 615, 618</u>	<u>6</u>
<u>51</u>	<u>GMUs 621, 624</u>	<u>7</u>
<u>52</u>	<u>GMU 627</u>	<u>2</u>
<u>53</u>	<u>GMUs 633, 636, 651</u>	<u>8</u>
<u>54</u>	<u>GMUs 638, 642, 648</u>	<u>8</u>
<u>55</u>	<u>GMUs 652, 666</u>	<u>4</u>
<u>56</u>	<u>GMUs 653, 654</u>	<u>6</u>
<u>57</u>	<u>GMUs 658, 660, 663, 672, 673, 681, 684, 699</u>	<u>13</u>
<u>58</u>	<u>GMU 667</u>	<u>4</u>

<u>A special permit to hunt deer or elk in GMU 485 is required to hunt cougar in GMU 485.</u>

(a) ((In hunt areas with a cap,)) The cougar hunting season shall close in one or more ((PMUs)) CHMUs if cougar mortality meets or exceeds the assigned cap. Additionally, if opened, the season shall close on the Thursday following the cap being reached. (b) ((In hunt areas with a cap,)) <u>C</u>ougar 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)) <u>hunter harvest and known</u> human <u>conflict</u>-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 ((PMU)) <u>CHMU</u> 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.

(((-))) (d) The use of dogs to hunt cougar is prohibited; except by a commission authorized permit (WAC 220-440-030 and 220-412-130).

(((d))) (e) Any person who takes a cougar must comply with the notification and sealing requirements in WAC 220-400-050.

(((c) A special cougar permit is required to hunt cougar in GMU

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.08.030, 77.15.240, 77.15.280, and 77.15.410. WSR 24-16-056 (Order 24-07), § 220-415-100, filed 7/31/24, effective 8/31/24. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, and 77.08.030. WSR 22-16-031 (Order 2022-11), § 220-415-100, filed 7/26/22, effective 8/26/22. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-11-020 (Order 20-67), § 220-415-100, filed 5/12/20, effective 6/12/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530. WSR 18-11-061 (Order 18-76), § 220-415-100, filed 5/11/18, effective 6/11/18. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-415-100, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, and 77.32.155. WSR 16-12-087, § 232-28-297, filed 5/31/16, effective 7/1/16. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-066 (Order 15-99), § 232-28-297, filed 5/1/15, effective 6/1/15. 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.] AMENDATORY SECTION (Amending WSR 24-11-029, filed 5/7/24, effective 6/7/24)

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 <u>by April 20th</u>, 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)) <u>submits</u> a bobcat <u>pelt for sealing</u> must <u>also</u> present a ((cleaned and air-))dried complete lower jaw (both sides) <u>from the same animal</u>, in such a manner that the canine tooth can be extracted for aging, to an authorized department employee, <u>or</u> authorized individual under permit with the department, at the time of

sealing before a pelt seal will be issued. <u>Bobcats being sent to WDFW</u> <u>licensed taxidermists or sold to WDFW licensed fur buyers may be</u> <u>sealed prior to jaw submission so long as the harvester signs a</u> <u>statement requiring that they will submit the jaw to the department by</u> <u>the April 20th deadline, following the close of the appropriate</u> 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 of kill, 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.)) <u>must present the raw pelt ((of a cougar</u> 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 <u>also</u> 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 <u>and</u> <u>provide the hunter's name, date</u>, and location of kill, and sex of the <u>animal</u>.

(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.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.08.030, 77.08.045, 77.12.047, 77.12.722, 77.12.800, 77.15.190, 77.32.320, 77.32.530, and 77.32.535. WSR 24-11-029 (Order 23-18), § 220-400-050, filed 5/7/24, effective 6/7/24. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530. WSR 18-11-061 (Order 18-76), § 220-400-050, filed 5/11/18, effective 6/11/18. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-400-050, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-033 (Order 15-95), § 232-12-024, filed 4/28/15, effective 5/29/15. Statutory Authority: RCW 77.12.047. WSR 06-11-032 (Order 06-92), § 232-12-024, filed 5/8/06, effective 6/8/06. Statutory Authority: RCW 77.12.040. WSR 99-17-034 (Order 99-118), § 232-12-024, filed 8/11/99, effective 9/11/99; WSR 94-18-059 (Order 94-58), § 232-12-024, filed 8/31/94, effective 10/1/94. Statutory Authority: RCW 77.12.030, 77.12.040 and 77.32.220. WSR 91-13-063

(Order 498), § 232-12-024, filed 6/17/91, effective 7/18/91; WSR 89-18-015 (Order 404), § 232-12-024, filed 8/28/89, effective 9/28/89. Statutory Authority: RCW 77.12.030 and 77.12.040. WSR 88-13-091 (Order 312), § 232-12-024, filed 6/20/88. Statutory Authority: RCW 77.12.040. WSR 81-12-029 (Order 165), § 232-12-024, filed 6/1/81. Formerly WAC 232-12-065.]

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PROPOSED	RULE	MAKING
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CR-102 (June 2024) (Implements RCW 34.05.320) Do NOT use for expedited rule making

DATE: February 04, 2025 TIME: 10:00 AM

WSR 25-04-101

Agency: Washington Department of Fish and Wildlife (WDFW) [2024-16A]				
Original Notice				
□ Supplemental Notice to WSR				
Continuance of W	SR			
☑ Preproposal State	ment of Inq	uiry was filed as WSR 24-2	21-094	filed on October 17, 2024; or
Expedited Rule Ma	akingProp	osed notice was filed as W	/SR	; or
Proposal is exemp	ot under RC	W 34.05.310(4) or 34.05.33	0(1); o	r
Proposal is exemp	ot under RC	w		
Title of rule and other identifying information: (describe subject) 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.				
Hearing location(s):				
Date:	Time:	Location: (be specific)		Comment:
March 20-22, 2025	8:00 a.m.	Hybrid – Kennewick (Tri-cit Three Rivers Convention C 7016 W Grandridge Blvd, Kennewick, WA 99336		Register to testify at the public hearing is available at: <u>www.wdfw.wa.gov/about/commission/meeitngs#public-</u> testimony, or contact the Commission office at (360)- 902-2267.
Date of intended ado	ption: On or	after April 4, 2025 (No	te: This	s is NOT the effective date)
Submit written comm	ients to:		Assistance for persons with disabilities:	
Name: Wildlife Program	n		Contact: Title VI/ADA Compliance Coordinator	
Address: PO Box 4320)0, Olympia,	WA. 98504	Phone: (360) 902-2349	
Email: 2025SSCougar	@publicinpu	t.com	Fax	
Fax: (360)-902-2162			TTY: 1-800-833-6388 or 711	
Phone: (855) 925-2801 Project Code 10654		Email: Title6@dfw.wa.gov or CivilRightsTeam@dfw.wa.gov		
Other https://publicinput.com/2025sscougar				
Comment by Phone:(855) 925-2801 Project Code: 10654]				
Beginning (date and	• 1		Dv (da	to) Morph 24, 2025
By (date and time)			•	te) <u>March 24, 2025</u>
Purpose of the propo	sal and its a	anticipated effects, includ	ing any	/ changes in existing rules:

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

The purpose of the proposed changes to this WAC are 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. Cougar Data Analysis Units are large, population-scale areas in Washington being uged to analyze mortality at the cougar population level rather than the Hunt Management Unit level. Caps are 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 Unit within that Cougar Data Analysis Units that are over 16% receive a 10% cap until the next three-year season setting time 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 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 days of the harvest barring holidays and weekends, 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 make it possible for taxidermists/fur buyers to receive sealed bobcat pelts for later jaw submission by the hunter.

Reasons supporting proposal: WAC 220-415-100 Cougar hunting seasons and regulations:

The amendments, if adopted as proposed, 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, if adopted as proposed, 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.

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	7.15.280, and 77.1	5.410.					

Statute being implemented: 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.

Is rule necessary because of a:

 Federal Law?
 Image: Yes
 No

 Federal Court Decision?
 Image: Yes
 No

 State Court Decision?
 Image: Yes
 No

 If yes, CITATION:
 Image: Yes
 No

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) WDFW **Type of proponent:** Private. Public. Ø Governmental.

Name of agency personnel responsible for:

	Name	Office Location	Phone		
Drafting	Mick Cope	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2515		
Implementation	Mick Cope	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2515		
Enforcement	Steve Bear	1111 Washington St. SE Olympia, WA. 98501	(360) 902-2373		
Is a school distr	s a school district fiscal impact statement required under RCW 28A.305.135?				

If yes, insert statement here:

The public may obtain a copy of the school district fiscal in	npact statement by contacting:
Name	
Address	
Phone	
Email Other	
Is a cost-benefit analysis required under RCW 34.05.328?	,
□ Yes: A preliminary cost-benefit analysis may be obtain	
Name	
Address	
Phone	
Fax	
Email	
No: Please explain: This proposal does not require a	•
Regulatory Fairness Act and Small Business Economic II Note: The Governor's Office for Regulatory Innovation and As	
	sistance (ORIA) provides support in completing this part.
(1) Identification of exemptions: This rule proposal, or portions of the proposal, may be exem	nt from requirements of the Regulatory Fairness Act (see
<u>chapter 19.85 RCW</u>). For additional information on exemption	
check the box for any applicable exemption(s):	
\Box This rule proposal, or portions of the proposal, is exempt u	under RCW 19.85.061 because this rule making is being
adopted solely to conform and/or comply with federal statute	
	n, and describe the consequences to the state if the rule is not
adopted.	
Citation and description:	
This rule proposal, or portions of the proposal, is exempt the	
defined by <u>RCW 34.05.313</u> before filing the notice of this prop	
□ This rule proposal, or portions of the proposal, is exempt u adopted by a referendum.	inder the provisions of $\frac{RCW}{15.65.570}$ (2) because it was
This rule proposal, or portions of the proposal, is exempt u	under RCW 19.85.025(3). Check all that apply:
	□ <u>RCW 34.05.310</u> (4)(e)
RCW 34.05.310 (4)(b) (Internal government operations)	(Dictated by statute)
□ <u>RCW 34.05.310</u> (4)(c)	
(Incorporation by reference)	(Set or adjust fees)
□ <u>RCW 34.05.310</u> (4)(d)	□ <u>RCW 34.05.310</u> (4)(g)
(Correct or clarify language)	((i) Relating to agency hearings; or (ii) process
	requirements for applying to an agency for a license or permit)
This rule proposal, or portions of the proposal, is exempt u	under <u>RCW 19.85.025</u> (4). (Does not affect small businesses).
 This rule proposal, or portions of the proposal, is exempting This rule proposal, or portions of the proposal, is exempting 	
Explanation of how the above exemption(s) applies to the pro-	
	• • • •
(2) Scope of exemptions: Check one.	
	otions identified above apply to all portions of the rule proposal.
proposal, but less than the entire rule proposal. Provide detail	3.) The exemptions identified above apply to portions of the rule
The rule proposal: Is not exempt. (Complete section 3.) N	
(3) Small business economic impact statement: Complete	
on businesses?	ose more-than-minor costs (as defined by RCW 19.85.020(2))

Name: Scott Bird	- Scott Bud
Date: February 4, 2025	Signature:
Fax TTY Email Other	
Name Address Phone	
The public may obtain a copy of the small busine contacting:	ss economic impact statement or the detailed cost calculations by
	quired small business economic impact statement here: ss economic impact statement or the detailed cost calculations by
	mposes more-than-minor cost to businesses and a small business quired small business economic impact statement here:

AMENDATORY SECTION (Amending WSR 21-14-022, filed 6/28/21, effective 7/29/21)

WAC 220-415-090 Fall black bear 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.

((Fall black bear season dates: August 1 to November 15.

Dlask Deer Monogement			
<u>Black Bear Management</u> <u>Unit (BBMU)</u>	Hunt Area (GMU)	Season Dates	<u>Bag Limit</u>
<u>1 – Northeast</u>	105, 108, 111, 113, 117, 121, 124	<u>August 1 – November 15</u>	<u>2</u>
<u>2 – Columbia Basin</u>	<u>127, 130, 133, 136, 139, 142, 248, 254,</u> <u>260, 262, 266, 269, 272, 278, 284, 290,</u> <u>371, 372, 373, 379, 381</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>3 – Southeast</u>	<u>145, 149, 154, 162, 163, 166, 169, 172,</u> <u>175, 178, 181, 186</u>	<u>August 1 – November 15</u>	2
<u>4 – Okanogan Highlands</u>	<u>101, 204</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>5 – Okanogan</u>	<u>203, 209, 215, 218, 224, 231, 233, 239, 242, 243</u>	<u>August 15 – November 15</u>	<u>1</u>
<u>6 – Central Cascades East</u>	<u>244, 245, 246, 247, 249, 250, 251, 328, 329, 330, 334, 335</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>7 – South Cascades East</u>	<u>336, 340, 342, 346, 352, 356, 360, 364,</u> <u>368, 382, 388, 578</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>8 – North Cascades West</u>	418, 426, 437, 448, 450, 460	<u>August 1 – November 15</u>	<u>2</u>
<u>9 – South Cascades West</u>	<u>466, 485, 503, 510, 513, 516, 560, 568, 572, 574, 653, 654</u>	<u>August 1 – November 15</u>	<u>2</u>
<u>10 – Urban</u>	<u>407, 454, 504, 564, 624, 627, 633, 652,</u> <u>666, 684</u>	<u>August 1 – November 15</u>	2
<u>11 – Mount St. Helens</u>	505, 520, 524, 550, 554, 556, 667	<u>August 1 – November 15</u>	<u>2</u>
<u>12 – Olympic Peninsula East</u>	603, 607, 618, 621, 636, 638	<u>August 1 – November 15</u>	<u>2</u>
<u>13 – Olympic Peninsula West</u>	601, 602, 612, 615, 642, 648, 651	<u>August 1 – November 15</u>	<u>2</u>
<u>14 – Willapa Hills</u>	<u>501, 506, 530, 658, 660, 663, 672, 673, 681, 699</u>	<u>August 15 – November 15</u>	<u>1</u>

Bag Limit: Two (2) black bear per annual hunting season.))

Area Restriction<u>s</u>: GMUs 157, <u>410-417, 419-424,</u> 490, ((and)) 522, <u>and</u> <u>655</u> are closed to fall bear hunting. <u>A special ((deer)) permit to hunt</u> <u>deer or elk in GMU 485 is</u> required to hunt black bear in GMU 485.

((Hunters that choose to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the annual WDFW online bear identification test or equivalent test from another state and carry proof of successful completion.))

License Required: A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option. A second black bear transport tag must be purchased to take a second bear.

Hunting Method: Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of hounds and bait to hunt black bear is prohibited statewide. <u>It is</u> <u>unlawful to kill or possess a cub (less than one year old) or a female</u> <u>bear accompanied by cub(s).</u>

((Other)) Area Requirements: Hunters that choose to hunt <u>black bear</u> in GMUs ((located in grizzly bear recovery areas as identified by the department)) <u>101, 105, 108, 111, 113, 117, 121, 203, 204, 209, 215,</u>

218, 224, 231, 242, 243, 244, 418, 426, 437, and 450 must successfully complete the annual WDFW online bear identification test with a passing score (80% or higher) <u>and carry proof of successful completion</u> or carry proof that they have passed an equivalent test from another state <u>while hunting black bear in those GMUs</u>. The WDFW test may be taken repeatedly until a passing score is achieved. ((All hunters must carry proof of passing a bear identification test while hunting in the <u>GMUs identified by the department.</u>))

Submitting Biological Samples and Bear Teeth: Successful bear hunters must comply with harvest reporting and submission of biological samples including the black bear premolar tooth located behind the canine tooth of the upper jaw by December 1st of the current hunt <u>season</u>. Failure to comply with the submission of biological samples is a misdemeanor pursuant to RCW 77.15.280.

[Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, and 77.12.240. WSR 21-14-022 (Order 21-61), § 220-415-090, filed 6/28/21, effective 7/29/21. Statutory Authority: RCW 77.04.090, 77.06.130, 77.15.568, 77.08.010, 77.65.510, 88.65.515, and 77.65.520. WSR 19-15-028 (Order 19-148), § 220-415-090, filed 7/10/19, effective 8/10/19. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055,

77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530. WSR 18-11-061 (Order 18-76), § 220-415-090, filed 5/11/18, effective 6/11/18. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-415-090, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-066 (Order 15-99), § 232-28-288, filed 5/1/15, effective 6/1/15. Statutory Authority: RCW 77.12.047. WSR 12-12-006 (Order 12-90), § 232-28-288, filed 5/23/12, effective 6/23/12. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530. WSR 10-10-061 (Order 10-94), § 232-28-288, filed 4/30/10, effective 5/31/10.]

CODE REVISER USE ONLY

PROPOSED RULE MAKING



CR-102 (June 2024) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

OFFICE OF THE CODE REVISER					
STATE OF WASHINGTON					
FILED					

DATE: February 04, 2025 TIME: 9:59 AM

WSR 25-04-100

				•											
Agency: Washington Department of Fish and Wildlife (WDFW) [2024-16B]															
Original Notice															
Supplemental Notice to WSR															
Continuance of WSR															
 Preproposal Statement of Inquiry was filed as WSR 24-21-094 filed on October 17, 2024; or Expedited Rule MakingProposed notice was filed as WSR; or Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or 															
								□ Proposal is exempt under RCW							
								Title of rule and other identifying information: (describe subject)							
WAC 220-415-090 F	all black bea	ar hunting seasons and regu	lations												
Hearing location(s):															
Date:	Time:	Location: (be specific)		Comment:											
March 20-22, 2025 8:00 a.m. Hybrid – Kennewick (Tri-ci			Information on how to register to testify at the public												
		Three Rivers Convention Center		hearing is available at: https://wdfw.wa.gov/about/commission/meetings#public											
		7016 W Grandridge Blvd, Kennewick, WA 99336		-testimony, or contact the Commission office at (360)-											
				902-2267.											
Date of intended ado	ption: On or	r after April 4, 2025 (Note: T	his is I	NOT the effective date)											
Submit written comments to:			Assistance for persons with disabilities:												
Name: Wildlife Program			Contact: Title VI/ADA Compliance Coordinator												
Address: PO Box 43200, Olympia, WA. 98504			Phone: (360) 902-2349												
Email: 2025SSBear@publicinput.com			Fax [
Fax: (360)-902-2162			TTY: 1-800-833-6388 or 711												
Phone: (855) 925-2801 Project Code 7563		Email: Title6@dfw.wa.gov													
Other: https://publicinput.com/2025ssbear or]		Othor	Civil Diabta Taam@dtuuwa aay												
Beginning (date and time): February 5, 2025			Other: <u>CivilRightsTeam@dfw.wa.gov</u>												
By (date and time): March 24, 2025 Purpose of the proposal and its anticipated effects, includ				tte): <u>March 24, 2025</u>											
		hunting seasons and regula		y changes in existing rules:											
14 Black Bear Manage amendments make it u	ement Units unlawful to ki	(BBMU), as well as where it ill cubs (less than one-year o	is illeg old) and	unting season dates and bag limits are for each of the al to harvest black bear in Washington. The d females with cubs. The amendments also include the ents specify that mandatory bear tooth samples must be											

submitted to the department by December 1.

Reasons supporting proposal: WAC 220-415-090 Fall black bear hunting seasons and regulations:

The amendments, if adopted as proposed, will provide a more robust framework for WDFW to manage black bears in Washington to maintain stable populations, except in urban areas where the social carrying capacity for bears is lower. It allows the department to protect cubs and females with cubs, to require the bear ID test in all potential places where a grizzly bear may disperse, and it makes tooth submission enforceable by adding a deadline.

Statutory authority for adoption: RCWs 77.04.012, 77.04.055, 77.08.030, 77.12.047, 77.15.245, 77.15.280, and 77.15.410.

Statute being implemented: RCWs 77.04.012, 77.04.055, 77.08.030, and 77.12.047, 77.15.245, 77.15.280 and 77.15.410.

Is rule necessar	y because of a:						
Federal Law?							
Federal Co	ourt Decision?		🗆 Yes 🖾 No				
State Cour	t Decision?		□ Yes ⊠ No				
If yes, CITATION	· · · ·						
Agency commer matters: None.	Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.						
	ent: (person or organization) ent: \Box Private. \Box Public. \boxtimes						
Name of agency	personnel responsible for:						
	Name	Office Location	Phone				
		1111 Washington St. SE					
Drafting	Mick Cope	Olympia, WA. 98501	(360) 902-2515				
		1111 Washington St. SE					
Implementation	Mick Cope	Olympia, WA. 98501	(360) 902-2515				
	г 1	1111 Washington St. SE	r 1				
Enforcement	Steve Bear	Olympia, WA. 98501	(360) 902-2373				
Is a school distr	ict fiscal impact statement re	equired under <u>RCW 28A.305.135</u> ?	🗆 Yes 🖾 No				
If yes, insert state	-						
□ Yes: A pr Name Address Phone Fax TTY Email Other	s 	W 34.05.328? may be obtained by contacting: s not require a cost benefit analysis under R	2CW 34.05.328.				
Regulatory Fairness Act and Small Business Economic Impact Statement							
Note: The <u>Governor's Office for Regulatory Innovation and Assistance (ORIA)</u> provides support in completing this part.							
(1) Identification of exemptions: This rule proposal, or portions of the proposal, may be exempt from requirements of the Regulatory Fairness Act (see <u>chapter 19.85 RCW</u>). For additional information on exemptions, consult the <u>exemption guide published by ORIA</u> . Please check the box for any applicable exemption(s):							
This rule proposal, or portions of the proposal, is exempt under <u>RCW 19.85.061</u> because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.							
\Box This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by <u>RCW 34.05.313</u> before filing the notice of this proposed rule.							
26 Page 2 of 3							

	e proposal, or portions of the proposal, is exempt a referendum.	under the	e provisions of <u>RCW 15.65.570(</u> 2) because it was			
	proposal, or portions of the proposal, is exempt	under R	CW 19.85.025(3). Check all that apply:			
	<u>RCW 34.05.310</u> (4)(b)		<u>RCW 34.05.310</u> (4)(e)			
	(Internal government operations)		(Dictated by statute)			
	<u>RCW 34.05.310</u> (4)(c)		<u>RCW 34.05.310</u> (4)(f)			
[]	(Incorporation by reference)	[]	(Set or adjust fees)			
	<u>RCW 34.05.310</u> (4)(d)		<u>RCW 34.05.310</u> (4)(g)			
	(Correct or clarify language)	LJ	((i) Relating to agency hearings; or (ii) process			
			requirements for applying to an agency for a license or permit)			
 This rule proposal, or portions of the proposal, is exempt under <u>RCW 19.85.025(4)</u>. (Does not affect small businesses). This rule proposal, or portions of the proposal, is exempt under RCW 						
Explanation	of how the above exemption(s) applies to the pro-	posed ru	ıle:			
 (2) Scope of exemptions: Check one. The rule proposal: Is fully exempt. (Skip section 3.) Exemptions identified above apply to all portions of the rule proposal. The rule proposal: Is partially exempt. (Complete section 3.) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using this template from ORIA): The rule proposal: Is not exempt. (Complete section 3.) No exemptions were identified above. 						
(3) Small b	usiness economic impact statement: Complete	e this sec	tion if any portion is not exempt.			
If any portio on business		ose mor	e-than-minor costs (as defined by RCW 19.85.020(2))			
 No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here: 						
The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:						
Ac Pł Fa						
	nail ther					
Date: Febru		Signatu	re:			
Name: Scot	t Bird		1			
	N Agency Rules Coordinator		Scott Bud			