



PROPOSED RULE MAKING

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

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STATE OF WASHINGTON
FILED

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 WSR [_____]

Preproposal Statement of Inquiry was filed as WSR 24-21-094 filed on October 17, 2024; or

Expedited Rule Making--Proposed 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 220-415-100 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-cities) Three Rivers Convention Center, 7016 W Grandridge Blvd, Kennewick, WA 99336	Register to testify at the public hearing is available at: www.wdfw.wa.gov/about/commission/meetings#public-testimony , or contact the Commission office at (360)-902-2267.

Date of intended adoption: On or after April 4, 2025 (Note: This is NOT the effective date)

Submit written comments to:

Name: Wildlife Program
Address: PO Box 43200, Olympia, WA. 98504
Email: 2025SSCougar@publicinput.com
Fax: (360)-902-2162
Phone: (855) 925-2801 Project Code 10654
Other <https://publicinput.com/2025sscougar>
Comment by Phone:(855) 925-2801 Project Code: 10654]
Beginning (date and time): February 5, 2025
By (date and time) March 24, 2025

Assistance for persons with disabilities:

Contact: Title VI/ADA Compliance Coordinator
Phone: (360) 902-2349
Fax [_____]
TTY: 1-800-833-6388 or 711
Email: Title6@dfw.wa.gov or CivilRightsTeam@dfw.wa.gov
By (date) March 24, 2025

Purpose of the proposal and its anticipated effects, including 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 used 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 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, 77.15.280, and 77.15.410.]

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? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION: []

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. 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 district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name []
Address []
Phone []
Fax []
TTY []
Email []
Other []

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name []
Address []
Phone []
Fax []
TTY []
Email []
Other []

No: Please explain:

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) 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 [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) 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.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

- | | |
|---|---|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
(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 [RCW 19.85.025\(4\)](#). (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 proposed rule:

(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 business economic impact statement: Complete this section if any portion is not exempt.

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

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:

Name []
Address []
Phone []
Fax []
TTY []
Email []
Other []

Date: February 4, 2025

Name: Scott Bird

Title: WDFW Agency Rules Coordinator

Signature:



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 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.~~) 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 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.

(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.

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
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	11
34	GMUs 510, 513	3	5
35	GMU 516	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	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	11	16
50	GMU 667	4	6))

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

Cougar Hunt Management Unit (CHMU)	Hunt Area	Cap
<u>6</u>	<u>GMU 121</u>	<u>4</u>
<u>7</u>	<u>GMU 124</u>	<u>3</u>
<u>8</u>	<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>
<u>23</u>	<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>
<u>32</u>	<u>GMU 418</u>	<u>6</u>
<u>33</u>	<u>GMUs 426, 437</u>	<u>9</u>
<u>34</u>	<u>GMU 448</u>	<u>10</u>
<u>35</u>	<u>GMU 450</u>	<u>3</u>
<u>36</u>	<u>GMU 454</u>	<u>2</u>
<u>37</u>	<u>GMU 460</u>	<u>7</u>
<u>38</u>	<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>
<u>48</u>	<u>GMU 578</u>	<u>2</u>
<u>49</u>	<u>GMUs 601, 602, 603, 612</u>	<u>7</u>

<u>Cougar Hunt Management Unit (CHMU)</u>	<u>Hunt Area</u>	<u>Cap</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>

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

~~(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,))~~ 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 ((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((-)):

~~(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 state-wide; 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.~~

~~((e))~~ (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.

~~((e) A special cougar permit is required to hunt cougar in GMU 485.)~~