

# HOUSE BILL REPORT

## HB 1124

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**As Reported by House Committee On:**  
Agriculture & Natural Resources

**Title:** An act relating to allowing the use of dogs to hunt cougars.

**Brief Description:** Establishing seasons for hunting cougars with the aid of dogs.

**Sponsors:** Representatives Blake, Kretz, Chandler, Taylor, Armstrong, Hinkle, Shea, McCune and Condotta.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 1/18/11, 1/25/11, 2/16/11 [DPS].

**Brief Summary of Substitute Bill**

- Makes permanent a pilot program that allows the hunting of cougars with the aid of dogs.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Blake, Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Hinkle, Kretz, Orcutt, Pettigrew and Rolfes.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Stanford, Vice Chair; Dunshee, Lytton and Van De Wege.

**Staff:** Jason Callahan (786-7117).

**Background:**

General Conditions for Hunting Cougars With the Aid of Dogs.

Generally, the use of dogs to hunt or pursue cougars is unlawful in Washington. However, there are situations where the Fish and Wildlife Commission (Commission) is authorized to

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

allow the use of dogs to hunt cougars. One such situation is when the Commission determines that there is a public safety need.

The use of dogs to hunt cougars when there is a public safety need must be limited to specific game management units, and may only be allowed after the Commission has determined that there is no practical alternative to the use of dogs. Practical alternatives include seasons for hunting cougars without the aid of dogs, public education, cougar depredation permits, and relocation or euthanasia programs administered by the Washington Department of Fish and Wildlife (WDFW).

The Commission may authorize the use of dogs in public safety cougar removal efforts if the WDFW believes, based on complaints or observation, that 11 interactions occurred between humans and cougars in a given year. Of those 11 confirmed interactions, at least four must have resulted in incidents where livestock or pets were killed or injured by the cougar.

If the necessary interactions occur, and no practical alternatives exist, the WDFW may allow for the use of dogs to take one cougar per 120 square kilometers in rural or undeveloped areas, or one cougar per 430 square kilometers in urban or suburban areas. All public safety cougar removals must occur between December 1 and March 15 in most game management areas.

Cougars may be hunted with modern firearms, bows, or muzzleloaders outside of the public safety cougar removal program; however, the use of dogs is prohibited.

#### Pilot Project for Hunting Cougars With the Aid of Dogs.

In 2004 the Legislature directed the Commission to adopt rules that establish a hunting season for cougars that allows the use of dogs. The seasons were limited to a three-year pilot program located only in Ferry, Stevens, Pend Oreille, Chelan, and Okanogan counties, and were only to occur within identified game management units. The goal of the pilot program was to provide for public safety, property protection, and cougar population assessments.

In establishing the pilot seasons, the Commission was required to cooperate and collaborate with the legislative authorities of the impacted counties. This coordination took the form of local dangerous wildlife task teams that were composed of the WDFW and the local county. The task teams were also directed to develop a more effective and accurate dangerous wildlife reporting system.

In 2007 a fourth year was added onto the pilot project, and for the first time, counties other than the original five were allowed to petition the Commission for inclusion in the pilot project. The legislative authority of any county that was not included in the initial cougar hunting pilot project could request the Commission to include its county in the pilot project if the legislative authority adopted a resolution requesting inclusion, documented the need to participate by identifying the number of cougar interactions within that county, and demonstrated that the existing cougar management tools for that county were insufficient.

In 2008 an additional three years was authorized for the pilot project. The additional seasons were intended to be used for the collection of information necessary to aid the WDFW in

formulating a recommendation as to whether a permanent program is warranted and, if so, what constraints should be included in a permanent program.

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**Summary of Substitute Bill:**

The pilot program that allows the hunting of cougars with the aid of dogs is made into a permanent program for cougar control to be administered by the WDFW. The control program allows the Commission to set seasons for the hunting of cougars with the aid of dogs in the counties that participated in the pilot program. Additional counties can join the control program by satisfying the same requirements that existed for the pilot project.

Other than removing the temporary nature of the pilot program, the other changes to the pilot program made in its transition to a permanent program are:

- The Commission may set hunting seasons based on the management and conservation of the species and not just for public safety and property protection.
- The Commission must ensure that licensed hunters participating in the cougar hunting seasons are not permitted to exchange payment to a commercial enterprise for the use of dogs in the hunt.
- The WDFW must present a quadrennial report to the Legislature summarizing the cougar control program, including how the program was used to assess cougar population levels and public safety protection.

**Substitute Bill Compared to Original Bill:**

The original bill directed the Commission to adopt rules establishing seasons for hunting cougars with the aid of dogs with no reference to the pilot project.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) There were minimal issues related to cougars prior to 1996 when an initiative was passed banning the use of dogs in the hunting of cougars. Before the initiative, cougar population levels were at a healthy level, but there were few complaints or negative human interactions because the cougars were conditioned to fear humans after being pursued by dogs. After the initiative passed, the cougars lost that fear and animal and human attacks started to be reported. Human safety must be paramount in managing any wildlife.

The seven-year cougar hunting pilot project gave confidence in rural communities that something was being done about cougar populations. As a result, cougar populations were able to be managed according to science and proper management and not through vigilante poaching incidents. The pilot program has also led to less complaints and requests for depredation permits. A permanent program would continue these benefits.

When the initiative passed, it reflected an ethical standard for hunting cougars with dogs for sport. However, the indication is now that society values a science-based management approach designed for improving safety and maintaining healthy population levels. This bill allows additional hound hunting opportunities in a controlled manner and allows management based on science and not rhetoric.

It is critical for the WDFW to have as many tools available as possible to manage predatory wildlife. Utilizing licensed hunters to help control population levels, as opposed to using public money to hire contract hunters, is both more cost-effective and accepted by the public. A statewide program allows this and provides the flexibility to address the management differences that exist between urban and rural settings. Less money available in the WDFW's budget leads to fewer management options, and licensed hunters provide options.

Cougar attacks on livestock threaten businesses and livelihoods. Killed livestock is a total loss to the owner. However, even livestock that is not killed still leads to expense to the owner and a diminishment of the animal's value.

Hounds allow a hunter to confine a cougar to a tree before killing it. This allows selection as to the age and sex of cougars harvested and provides a clean, humane shot. A hunter who is not given the option of hunting cougars with the aid of dogs is only given a few seconds to decide if a cougar he or she sees is one that should be taken, and often leads to shots that injure the cougar but does not kill it. Hounds are necessary for tracking problem cougars in western Washington where the rainfall makes tracking the animals without dogs very difficult.

The will of the voters is a transient event and is often invoked as a term of art. The drafters of Washington's Constitution provided a mechanism for initiatives to change over time to reflect changing circumstances. Controlled, science-based management does not return state law to the pre-initiative cougar hunting provisions.

(Opposed) The citizens overwhelmingly passed an initiative in 1996 to stop hound hunting. The Legislature has eroded that initiative over the years, and now proposes the final repeal of the initiative and the erosion of the voter's intent.

It has never been disputed that there is a need to protect public safety and private property, but this bill allows for the blanket use of dogs for sport and not for targeted problems. Sport hunting with dogs is not an acceptable wildlife management tool. The existing law provides the necessary tools and there is no need to undermine the will of the people.

**Persons Testifying:** (In support) Representative Blake, prime sponsor; Representative Kretz; Dave Ware, Department of Fish and Wildlife; Lee Barker; Bruce Vandervort; John Stuhlmiller, Washington Farm Bureau; Ed Owens, Hunters Heritage Council; Jack Field and

Keith Kreps, Washington Cattlemen's Association; Jess Kayser, Brad Cameron, and Bruce Davenport, Klickitat County Cattlemen's Association; Clay Schuster and Harry Miller, Klickitat County Livestock Growers; Duane Dewey; Jim Detro, Okanogan County; Heather Hansen, Cattle Producers of Washington; and Darvin Ecklund.

(Opposed) Jennifer Hillman, The Humane Society of the United States.

**Persons Signed In To Testify But Not Testifying:** None.