



## OREGON DEPARTMENT OF FISH AND WILDLIFE

### FIELD STAFF RESPONSE FOR COUGAR INFORMATION AND CONFLICT SITUATIONS

The following information summarizes how Oregon Department of Fish and Wildlife (ODFW) field staff typically provides public education on cougar in Oregon, and how they respond to cougar conflict reports within the established legal and policy framework. These two topics are generally related as many of the calls to an ODFW office regarding cougar, result in an educational opportunity.

#### **Education**

Information and education regarding cougars in Oregon is achieved in a variety of ways including presentations, published literature, and individual interactions.

Published literature includes the *Living with Cougar* pamphlet that is available at ODFW offices and on the ODFW website. The department also employs a standardized sign advising local residents and recreational users of cougar sightings in an area when those sightings occur repeatedly over time or are in non-typical cougar habitat. These are typically used at recreation sites such as parks and trails heads.

One on one conversation is the most common education venue employed by district staff. Cougars are a frequent topic raised by the public at meetings and cougar sightings, or damage and human safety issues also generate phone calls to the district office. These situations are the ideal time to provide information on cougars, cougar management and living with cougar. This is how the vast majority of cougar reports and information requests are handled.

#### **Cougar Report Response**

Sightings: Initial reports of a cougar sighting actually start with the reporting party believing they have a human safety concern. The ODFW biologist (biologist) or USDA Wildlife Services Agent (WS agent) receiving the report will ask questions on the date time and location of the sighting as well as details on the animal's behavior. To be considered a human safety concern the animal behavior has to meet the definition in ORS 498.166.

In most cases, sightings do not warrant a field response (there is no need to verify a simple sighting as no action will be taken) and the reporting party is provided information on living with cougar. This often includes the facts of cougar behavior that make it a rare event to even see a cougar and that they rarely pose a threat to human safety. Sightings are not considered damage complaints and are not recorded on the damage complaint form, although the biologist or WS agent will likely make notes in their field book to watch for patterns of behavior.

Suspected Human Safety: In some cases a single incident or a series of sightings and/or incidents will indicate a pattern of behavior that is considered a concern for human safety. The most common indicators of a human safety concern are repeated sightings in a populated area, especially in daytime, or cougar behavior that is non-typical including preying on pets and lack of fear toward humans. These complaints are recorded on the damage complaint form and typically warrant a field response by a biologist.

During the field visit the biologist will investigate the area looking for confirmation of the report(s), interview people at the location, and assess any socio-cultural conditions (e.g. feeding



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of deer) that could be contributing to the problem. Providing advice and information on living with cougars is standard practice, even if other action such as cougar removal is warranted. Cougar removal actions vary by county, and location (urban, suburban, rural) and other conditions related to the complaint. Please see the section on taking cougars below. Reported

human safety issues, especially those in urban areas are often coordinated with Oregon State Police and/or local law enforcement agencies.

**Suspected Depredations:** Details of reported depredations are recorded on the damage complaint form when received by the department or WS Agent. If the report is timely they are advised to preserve any evidence at the site and a biologist or agent will respond to investigate. The investigation will determine if a depredation occurred (as opposed to scavenging), and if so, what type of animal was involved in the incident. Wild predators and especially cougars have distinctive kill, caching, and feeding patterns that make positive identification possible in the majority of investigations if reported timely.

The results of the investigation are noted on the complaint form. If the depredation is confirmed as cougar, actions taken will range from providing advice, to initiating a response to remove the offending cougar.

If the incident is a confirmed depredation but other wildlife is involved, the cougar complaint is marked accordingly and a standard wildlife damage complaint with the correct species is started. If the incident was caused by domestic animals the complaint is marked appropriately, closed out and referred to the local animal control officer or law enforcement as appropriate. In both cases the data is recorded in the cougar database as an unconfirmed report – other species.

### **Taking Cougars Involved in Human Safety or Depredations**

A confirmed depredation or human safety threat will initiate a response beginning with advice, up to and including removal of the cougar. Response will vary by county and location. In counties with WS agents they will handle the majority of removal efforts using either traps, trained hounds or both. In areas without WS agents the department may attempt to remove the cougar with traps and/or agents with trained hounds. In some cases landowners will remove the cougar on their own or with an agent as authorized under ORS 498.012 and 498.166.

However, not all confirmed cougar incidents can be handled with any of these tools. In some locations the human population density, landownership patterns, and uncontrolled domestic pets preclude the use of traps or trained hounds. In these cases advice on protecting people, pets, and livestock and information on ORS 498.012 and 498.166 are provided. With these types of complaints, the landowner often resorts to “guarding” their livestock and shooting the offending animal when it returns.

All cougars captured in response to confirmed depredations or in response to human safety threats are killed.



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### Applicable Statutes

**498.012 Taking wildlife causing damage, posing public health risk or that is public nuisance.** (1) Nothing in the wildlife laws is intended to prevent any person from taking any wildlife that is causing damage, is a public nuisance or poses a public health risk on land that the person owns or lawfully occupies. However, no person shall take, pursuant to this subsection, at a time or under circumstances when such taking is prohibited by the State Fish and Wildlife Commission, any game mammal or game bird, fur-bearing mammal or nongame wildlife species, unless the person first obtains a permit for such taking from the commission.

(2)(a) Nothing in subsection (1) of this section requires a permit for the taking of cougar, bobcat, red fox or bear pursuant to that subsection. However, any person who takes a cougar, bobcat, red fox or bear must have in possession written authority therefor from the landowner or lawful occupant of the land that complies with subsection (4) of this section.

(b) Nothing in subsection (1) of this section requires the commission to issue a permit for the taking of any wildlife species for which a U. S. Fish and Wildlife Service permit is required pursuant to the Migratory Bird Treaty Act (16 U.S.C. 703 to 711), as amended.

(3) Any person who takes, pursuant to subsection (1) of this section, any cougar, bobcat, red fox, bear, game mammal, game bird, fur-bearing mammal or wildlife species whose survival the commission determines is endangered shall immediately report the taking to a person authorized to enforce the wildlife laws, and shall dispose of the wildlife in such manner as the commission directs. In determining procedures for disposal of bear and cougar, the commission shall direct the State Department of Fish and Wildlife to first offer the animal to the landowner incurring the damage.

(4) The written authority from the landowner or lawful occupant of the land required by subsection (2) of this section for the taking of cougar, bobcat, red fox or bear must set forth all of the following:

- (a) The date of issuance of the authorization;
- (b) The name, address, telephone number and signature of the person granting the authorization;
- (c) The name, address and telephone number of the person to whom the authorization is granted;
- (d) The wildlife damage control activities to be conducted, whether for bear, cougar, red fox or bobcat; and
- (e) The expiration date of the authorization, which shall be not later than one year from the date of issuance of the authorization.

(5) Any regional office of the State Department of Fish and Wildlife ordering the disposal of an animal under subsection (3) of this section shall file a report with the State Fish and Wildlife Director within 30 days after the disposal. The report shall include but need not be limited to the loss incurred, the financial impact and the disposition of the animal. The director shall compile all reports received under this subsection on a bimonthly basis. The reports compiled by the director shall be available to the public upon request.

(6) ORS 498.014 governs the taking of wolves that are causing damage.

(7) As used in this section:

- (a) "Damage" means loss of or harm inflicted on land, livestock or agricultural or forest crops.



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- (b) “Nongame wildlife” has the meaning given that term in ORS 496.375.
- (c) “Public nuisance” means loss of or harm inflicted on gardens, ornamental plants, ornamental trees, pets, vehicles, boats, structures or other personal property. [1973 c.723 §75; 1977 c.136 §2; 1979 c.399 §3; 1985 c.332 §1; 1985 c.489 §1a; 1999 c.531 §1; 2003 c.248 §1; 2013 c.626 §4]

**498.166 Bears or cougars posing threat to human safety.** (1) Notwithstanding the licensing and tag requirements of ORS 497.102 and 497.112, a person may take a cougar or bear that poses a threat to human safety.

(2) Any person who takes a cougar or bear pursuant to subsection (1) of this section shall immediately report the taking to a person authorized to enforce the wildlife laws and shall dispose of the animal in such manner as the State Fish and Wildlife Commission directs.

(3) Any regional office of the State Department of Fish and Wildlife ordering the disposal of an animal under subsection (2) of this section shall file a report with the State Fish and Wildlife Director within 30 days after the disposal. The report shall include but need not be limited to the disposition of the animal, the events leading to the taking of the animal and any injury caused by the animal to humans or domesticated animals. The director shall compile all reports received under this subsection on a bimonthly basis. The reports compiled by the director shall be available to the public upon request.

(4) As used in this section:

(a) “Structure” includes a building being used as a residence, a building located on land actively used for agricultural, timber management, ranching or construction purposes or a building used as part of a business.

(b) “Threat to human safety” means the exhibition by a cougar or bear of one or more of the following behaviors:

(A) Aggressive actions directed toward a person or persons, including but not limited to charging, false charging, growling, teeth popping and snarling.

(B) Breaking into, or attempting to break into, a residence.

(C) Attacking a pet or domestic animal as defined in ORS 167.310.

(D) Loss of wariness of humans, displayed through repeated sightings of the animal during the day near a permanent structure, permanent corral or mobile dwelling used by humans at an agricultural, timber management, ranching or construction site. [2001 c.431 §2]



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### Example ODFW Cougar and Bear Damage Safety Complaint Form:

<b>COUGAR &amp; BEAR DAMAGE AND SAFETY COMPLAINT FORM</b>		712161	
RECD BY _____	OFFICE CODE _____	DATE _____	
		Shaded areas must be completed	
<b>COMPLAINANT INFORMATION</b>			
Name: Last _____	First _____ MI _____	Business/Company _____	
Address _____		Email _____	
City _____	State _____ Zip _____	Home Phone _____ Work Phone _____	
<b>COMPLAINT INFORMATION</b> (Fill out Cougar Zone for cougar only. Fill out UTM data for both cougar & bear.)			
Location: Cougar Zone (A-F) _____	UTM Coordinates : Easting _____ Northing _____	Map Zone: <input type="checkbox"/> 10 <input type="checkbox"/> 11	
County Code _____	County Name _____	Wildlife Mgmt Unit # _____ Watershed District _____	
Location Description/Comments (description of conflict) _____			
Species (Check One) <input type="checkbox"/> M428 Cougar <input type="checkbox"/> M414 Black Bear Number Seen _____ Visible Markings _____			
Site Visited <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, by Whom (Check One) <input type="checkbox"/> ODFW <input type="checkbox"/> Wildlife Services <input type="checkbox"/> USFWS <input type="checkbox"/> County <input type="checkbox"/> State (OSP) <input type="checkbox"/> City			
Species Verified <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, HOW (Check All) <input type="checkbox"/> Tracks <input type="checkbox"/> Prey carcass <input type="checkbox"/> Scat <input type="checkbox"/> Live animal			
<input type="checkbox"/> Damage <input type="checkbox"/> Scratching <input type="checkbox"/> Other _____			
<b>TYPE OF COMPLAINT: Check primary concern in 1<sup>st</sup> column (1 only), check all additional types of complaint that apply in 2<sup>nd</sup> column</b>			
PRIMARY (CHECK ONE)	Additional (Check all that apply)	Must select only one Primary Type of Complaint Check all additional Types of Complaint that apply in the Additional column	
<input type="checkbox"/>	<input type="checkbox"/>	16 Aggressive actions towards a person or person, including but not limited to charging, false charging, growling, teeth popping & snarling	S A F E T Y
<input type="checkbox"/>	<input type="checkbox"/>	17 Breaking into, or attempting to break into, a residence	
<input type="checkbox"/>	<input type="checkbox"/>	18 Loss of wariness of humans, displayed through repeated sightings of the animal during the day near a permanent structure, permanent corral or mobile dwelling used by humans at an agricultural, timber management, ranching or construction site	
<input type="checkbox"/>	<input type="checkbox"/>	19 Pets Killed Species _____ Number _____ Species _____ Number _____	D A M A G E
<input type="checkbox"/>	<input type="checkbox"/>	20 Pets Injured Species _____ Number _____ Species _____ Number _____	
<input type="checkbox"/>	<input type="checkbox"/>	3 Non-residential structural damage	
<input type="checkbox"/>	<input type="checkbox"/>	5 Landscaping (include non-agric. fruit trees)	
<input type="checkbox"/>	<input type="checkbox"/>	7 Gardens	
<input type="checkbox"/>	<input type="checkbox"/>	8 Fences	
<input type="checkbox"/>	<input type="checkbox"/>	9 Garbage	
<input type="checkbox"/>	<input type="checkbox"/>	10 Nuisance (pet food, bird feeder)	
<input type="checkbox"/>	<input type="checkbox"/>	11 Agricultural Crop _____ Acres _____ Crop _____ Acres _____	
<input type="checkbox"/>	<input type="checkbox"/>	12 Timber Crop _____ Acres _____ Crop _____ Acres _____	
<input type="checkbox"/>	<input type="checkbox"/>	21 Livestock/poultry Killed Species _____ Number _____ Species _____ Number _____	O T H E R
<input type="checkbox"/>	<input type="checkbox"/>	22 Livestock/poultry Injured Species _____ Number _____ Species _____ Number _____	
<input type="checkbox"/>	<input type="checkbox"/>	23 Seen/verified in proximity to people (check only if 16-18 not selected above)	
<input type="checkbox"/>	<input type="checkbox"/>	24 Seen/verified in proximity to livestock (check only if 16-18 not selected above)	O T H E R
<input type="checkbox"/>	<input type="checkbox"/>	15 Other (enter description and number) _____ Number _____	
<b>ACTION TAKEN:</b> (Check all that apply)		<b>DAMAGE HANDLED BY</b> (Select one)	
<input type="checkbox"/> 1. Repellant <input type="checkbox"/> 8. Dept. Trap (live) <input type="checkbox"/> 5. Live trap/transport (bear only) <input type="checkbox"/> 9. Dept. Trap (dead) <input type="checkbox"/> 6. Landowner/Agent Hazing <input type="checkbox"/> 10. Emergency Hunt (enter numbers below): <input type="checkbox"/> 7. Landowner/Agent Killed #Tags _____ #Harvested _____ <input type="checkbox"/> 13. Advice _____ <input type="checkbox"/> 14. Other _____		<input type="checkbox"/> 1 ODFW <input type="checkbox"/> 8 Landowner <input type="checkbox"/> 2 Wildlife Services <input type="checkbox"/> 9 Landowner agent <input type="checkbox"/> 3 USFWS <input type="checkbox"/> 4 County <input type="checkbox"/> 5 State (OSP) <input type="checkbox"/> 7 Other _____	
<b>FINANCIAL LOSS</b> <input type="checkbox"/> No Estimate Given by Complainant <input type="checkbox"/> Financial Loss Estimated at \$ _____ (enter value even if zero)			
<b>ANIMAL DISPOSITION</b> (Enter number of animals for each disposition type selected) (use Hunter Kept for E-hunts only)			
<input type="checkbox"/> 1. Education Facility _____ <input type="checkbox"/> 2. Released _____ <input type="checkbox"/> 3. Rehab (bear only) _____ <input type="checkbox"/> 4. Render _____ <input type="checkbox"/> 5. Hunter Kept _____ <input type="checkbox"/> 6. Landowner Kept _____ <input type="checkbox"/> 7. Carcass Salvaged (e.g. soup kitchen) _____ <input type="checkbox"/> 8. Buried _____ <input type="checkbox"/> 9. No success _____ <input type="checkbox"/> 10. Other (describe) _____ <input type="checkbox"/> 11. Seal # _____			

Permits are not required for taking bear or cougar causing damage, posing public health risk or that is public nuisance on land that the person owns or lawfully occupies. However, persons or agents taking bear or cougar for landowners or lawful occupants must have written authority from the landowner or lawful occupant. See ORS 498.012 subsection 4 for specific requirements.

Distribution - make copies of completed forms & distribute: 1) District 2) Watershed Manager 3) Wildlife (HQ) 4) Complainant (on request) Revision 05/30/2007



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**Cougar Response Flowchart**

