

## COMMISSION MEETING AGENDA BRIEFING

---

Meeting Date: September 18, 2019      Agenda Number: 9

Presenter: Stewart Liley      Corroborator: N/A

Agenda Title: Subsequent Discussion on the Bear and Cougar Rule for 2020 – 2024 Hunting Seasons

### 1. Summary of Agenda Item

The Department will present the proposed changes to the Bear and Cougar rule (19.31.6 NMAC) based on public comment, harvest data, and biological data collected from research in New Mexico and recent literature. Proposed changes for cougar include eliminating trapping as a method of sport harvest, aligning harvest limits with recent biological data, combining Cougar Management Zones (CMZ) B and F, and no longer allowing individuals additional tags to harvest more than two cougars. The Department is proposing to change the start date of the bear season in Bear Management Zones (BMZs) 10, 12, and 13 from August 15 (any weapon type) to September 1 (archery only), with the season opening to any weapon type on September 25. The bear season closing data for BMZs 10, 12, and 13 would change from November 30 to December 15.

### 2. Background Information

The Department is providing an update to the rule development process for the Bear and Cougar Rule. Proposed changes to the Bear and Cougar Rule are made based on current scientific findings using the results of Department and collaborator research efforts in New Mexico, recent findings in the literature, and Department staff and public observations and recommendations. Bear and cougar population estimates are derived using population density estimates from academic studies conducted in various locations in New Mexico and in comparable habitat in other states. These densities are applied to the bear or cougar habitat within a specific zone to derive a population estimate for the zone. The density applied varies based on habitat quality or data from specific areas. Harvest limits are set at a percentage of the zone-specific population estimate which allows maximum hunting opportunity while maintaining sustainable population sizes.

Bear population density estimates were updated in 2016 for six bear management zones based on a Department funded PhD research project. Although we are currently extending that research into an additional portion of the state, we do not currently have additional density data. Harvest statistics, such as age and sex of bears in the harvest, and average number of days it takes for a hunter to harvest a bear (catch per unit effort), do not suggest that any areas are being overharvested. Therefore, we are not recommending any changes to the maximum harvest limits at this time. In addition, we analyzed harvest data relative to modifying Bear Management Zone boundaries but at this time we are not proposing any changes. We are proposing to change the start date of the bear season in Bear Management Zones 10, 12 and 13 from August 15 (any weapon type) to September 1 (archery only), with the season opening to any weapon

type on September 25. The bear season closing data for Bear Management Zones 10, 12, and 13 would change from November 30 to December 15.

BMZ	Game Management Units	Estimated Primary Black Bear Habitat (km <sup>2</sup> )	Harvest Limit (Female Harvest Limit)
			2020 – 2024
1	4, 5, 6, 7, 51, 52	9,296	158 (63)
2	2	880	15 (6)
3	49, 50, 53	2,109	65 (26)
4	45, 46, 48	5,778	109 (43)
5	54, 55	4,723	92 (37)
6	39, 40, 41, 42, 43, 47, 59	4,689	33 (13)
7	56, 57, 58	1,645	35 (14)
8	8	719	11 (4)
9	9, 10	2,963	36 (14)
10	12, 13, 15, 16, 17, 18, 20, 21, 22, 23, 24, 26, 27	15,488	146 (58)
11	37, 38	1,811	36 (14)
12	34	2,428	33 (13)
13	36	1,184	16 (6)
14	14	1,267	19 (7)
<b>Total</b>		<b>54,793</b>	<b>804 (318)</b>

Cougar population density estimates in CMZ B and F were updated using advanced statistical models that incorporate data from GPS collared cougars and camera grid systems. Currently, some of the Cougar Management Zones are managed for stable population numbers, and others are managed for decreasing populations. Sport harvest in New Mexico is typically not an effective tool for decreasing populations, and we no longer have a goal of decreasing cougar numbers over large scale areas such as Cougar Management Zones. In addition, when analyzing harvest limits derived from the habitat model, the results do not always align with observations on the ground, and proposed harvest limits incorporate this additional information. As a result, we currently recommend decreasing harvest limits in 14 of 19 zones. We are also proposing combining CMZ B and F based upon movement data gathered from GPS collars, resulting in 18 CMZ (13 of 18 being reduced limits). We do not recommend increasing harvest limits in any zone.

CMZ	Current Total Limit (Female Sub-limit)	Harvest Limit Proposal	Proposed Total Limit (Female Sub-limit)	Additional Proposals
A	42 (13)	No Change	42 (13)	
B	28 (9)	Change*	25 (8)**	Combined with CMZ F
C	84 (42)	Change	57 (17)	
D	23 (11)	Change	15 (5)	
E	50 (15)	Change	42 (13)	
F	46 (23)	Add to CMZ B	Added to CMZ B	Added to CMZ B
G	73 (37)	Change	50 (15)	
H	42 (21)	Change	29 (9)	
I	24 (7)	No Change	24 (7)	
J	89 (27)	Change*	84 (25)	GMU 25 moved to CMZ L
K	66 (33)	Change	45 (14)	
L	19 (10)	Change*	19 (6)	GMU 25 added
M	31 (9)	Change	25 (7)	
N	15 (5)	Change	13 (4)	
O	21 (6)	Change	17 (5)	
P	14 (7)	No Change	14 (7)	
Q	34 (11)	No Change	34 (11)	
R	26 (8)	No Change	26 (8)	
S	25 (13)	Change	17 (5)	

\*CMZ boundary adjustments

\*\* Limits set based upon research conducted in CMZ B and F

The Department recommends modifying Cougar Management Zone boundaries to more closely align with cougar movements across the landscape. Specifically: 1) moving GMU 25 (Greater Florida Mountains) out of CMZ J (Core of the Gila) and into L (Bootheel); and 2) combining Zones F (Jemez Mountains) and B (Canjilon area). Harvest limits in these zones have been adjusted proportionally.

The Department recommends no longer allowing traps and snares as a legal method for sport harvest because it is only minimally being used by sportsmen and women. During each of the past three years, between 4 and 20 cougars were harvested with traps, representing between 1 and 7% of the total harvest.

The Department recommends no longer allowing additional cougar tags to be granted to cougar license holders who have already used the initial two tags from their license purchase. In the past three years, only one to four people annually have requested additional tags beyond the two issued with their cougar license.

### 3. Strategic Plan References and Possible Impacts of Agenda Item

The process as presented to the Commission meets the Conservation Services Program Objectives 1, 2 and 5 of the Department's Strategic Plan: FY 2019 – FY 2023

#### **4. Considerations Regarding Duplications and/or Conflicts with Existing Rules or Statutes**

None

#### **5. Description and Summary of Public Involvement Process and Results**

The Department will post via its website the proposed changes as they are developed. The Department held public meetings in Raton (23 in attendance), Albuquerque (18 in attendance), Las Cruces (19 in attendance), and Roswell (3 in attendance) in August. The Department has met with Council of Guides and Outfitters, Back Country Hunters and Anglers, NM Wildlife Federation, Animal Protection of NM, Defenders of Wildlife, Wild Earth Guardians, Sierra Club, and Cattle Growers Association.

As of September 10, 2019, NMDGF has received 134 comments that address the proposed changes to the Bear and Cougar rule, as well as a variety of other public input recommending additional changes.

The most common comments addressed the NMDGF proposals to:

- No longer allow foothold traps and foot snares as a method of take for sport harvest of cougars. Comments both for and against.
- Reduce cougar harvest limits in certain zones. Comments both for and against.
- No change in bear harvest limits. Comments both for and against.

#### **6. Suggested Motion**

This is a discussion item and no motion is necessary, unless Commission discretion dictates otherwise.