



June 3rd 2016

Stephanie Tucker,
Game Management Section Leader and Furbearer Biologist
Jebb Williams,
Division Chief
North Dakota Game and Fish

Dear Stephanie and Jebb,

The Cougar Fund is a national organization based in Jackson, Wyoming. We educate about the ecological benefits of enhanced biodiversity with an emphasis on the protection of cougars and other large carnivores, and their contribution to the environment.

I attended your presentation in Killdeer, North Dakota where Game and Fish (NDGF) gave the results of the first of two three-year studies about the status of mountain lions in the state.

I came away with great respect for your dedication to current best science, and much fear for the future of the lion population. The evidence presented leaves no doubt that the lions are in trouble. *Even more troubling is the lack of understanding by attendees of the need for the department to respond to research findings in a swift and proactive manner.*

There are several layers of concern that came out of the meeting. I hope you are able to take these into consideration as you develop your recommendations to the Department.

Observational Research

North Dakota has been monitoring mountain lion activity over time and has recorded and interpreted data since about 2000. In 2006, following a year in which the department initiated an experimental hunting season on mountain lions, a report was presented to the legislative council which I have attached to this letter. The report is essentially an overview of mountain lion habitat, sightings and incidents and the harvest report for the vanguard mountain lion hunting season.

Board of Directors
Marc Bekoff, Ph.D.
H. Webb Blesley
Patricio Robles Gil
Jane Goodall, Ph.D., DBE
Rick Hopkins, Ph.D.
Cara Blesley Lowe
Thomas D. Mangelsen,
Ph.D.
Corinne R. Rutledge
Board Emeritus
Howard G. Buffett
Robert W. Koons
John E. Swallow

The executive summary of the Status report, even in 2006, identified the vulnerability of the core population in the Badlands:

“The relatively small lion population in the Badlands likely will be vulnerable to human---caused mortality due to its geographic isolation from breeding lion populations in adjacent states, therefore, close monitoring of management prescriptions carried out on the population will be necessary if a reproductively viable population is to be maintained.”

In 2011 NDGF joined with South Dakota State University (SDSU) to conduct research into the small mountain lion population. The first of the two three---year studies has been completed and the results are included in the 2015 Status of Mountain Lions

I appreciate how clearly you reported on the downward trajectory of the North Dakota mountain lion population. Aspects of the report that generate the greatest concern are the lion survival rate of between 42---48% (NDGFD Managing Mountain Lions February 2016) and the declining average age of the harvested animals to less than two years. (2015 Status Report Page 6).

A scientific analysis of the effects of [oil and gas development](#) on the wildlife of North Dakota published in 2011, refers to the vulnerability of mountain lions to the adverse conditions existing throughout the state. One statement, in particular encapsulates the consequences of anthropogenic activities.

“[It] does not take many or frequent negative impacts to have significant and long---lasting harmful effects on the mountain lion population in North Dakota.”

The North Dakota lion population has also been established by genetic analysis to be a distinct population with very few indications of integration of lions from South Dakota, Wyoming or Montana.

This unique population would be well served by the development of a Mountain Lion Management Plan by NDGFD that would clarify and specify objectives, management protocols, habitat analysis, and conflict response procedures.

Human Health and Safety and Livestock Protection

One of the most often expressed concerns at the meeting in Killdeer on February 29th was the perception of human risk due to the presence of mountain lions on the local landscape.

Citizens of North Dakota are given the ability to defend their interests by the following state statute:

"20.1-07-04. Depredating fur-bearing animals - Destruction and disposition. A landowner or tenant or that person's agent may catch or kill any wild fur-bearing animal that is committing depredations upon that person's poultry, domestic animals, or crops, except a landowner or tenant or that person's agent shall notify and obtain the approval of the director before catching or killing a black bear. A landowner or tenant or that person's agent may not commercialize in, sell, or ship an animal or the pelt or any part of an animal caught or killed under this section if caught or killed during the closed season. A person catching or killing a black bear or mountain lion under this section shall report the capture or killing to the department within twenty-four hours and the entire animal must be turned over to the department."

From 2004--2016, a total of 24 mountain lions were killed in North Dakota under the justification of defense of self and property. 11 of these cougars were male and 13 female, with 5 female cougars killed in just one season (2012--2013).

Over the same time period, there were another 35 non--harvest mortalities, including car collisions, incidental trapping and snaring, and poaching. 23 of these deaths were female cougars, 8 of which died in the 2011--2012 season alone.

Out of a total 118 cougars hunted legally, 56% were female (66 female and 52 male). The 2011--2012 season was the peak in mountain lion mortality: a total of 31 cougars died with 74% of these being female.

All in all, total cougar mortalities have been steadily declining since the 2011--2012 season, but the number of harvest deaths has remained relatively steady during this time period.

While there is certainly cause to respect the capacity of large carnivores to present (statistically minimal) danger to humans and their interests, there are many options available that do not require lethal force to mitigate safety. Husbandry practices that focus on conflict prevention and non--lethal deterrents have proven effective for livestock growers.

The safety of our families and domestic pets depends on wise **human** decision-- making and responsibility.

NDGF has developed clear guidelines and instructions that address Mountain Lion/Human/Property interactions (Pages 49---52 2006 Status Report).

The Mountain Lion Brochure (also included) is a valuable resource for living in cougar country and actions to take during an encounter, and is provided via the NDGFD website <http://gf.nd.gov/gnf/publications/docs/mt---lion---broch.pdf>

Community education and protection from the realistic threats of mountain lions are being accommodated by both Wildlife Services and by NDGF. However, there is an apparent reluctance to accept the science and education offered, which seems to have resulted in the demand for reactive pressure on the mountain lion population. Livestock guardian dogs have proven to be effective at reducing or eliminating depredations. Guarding dog pups cost only a few hundred dollars and have the potential to save thousands of dollars of livestock, as well as the lives of predatory animals, by reducing conflicts (Andelt, 2004¹). This suggests the state's Depredation Assistance Program could make a more effective, proactive investment in conflict prevention, rather than reacting to depredation events.

Perhaps the use of working conservation dogs, (one example in neighboring Montana is WD4C.org)---trained to recover evidence of wildlife through track scenting, scat recovery and identification of other indicators of predator presence, may be beneficial. Such dogs might be integrated into a program to establish 'actual' presence of mountain lions and allay the fearful assumptions that are often perpetrated in close-knit rural communities.

Ungulate harvest opportunity

Concern was also expressed that mountain lion predation is additive to other causes of mortality and reflected in losses of other wildlife. Ungulate herds are being challenged in many of the areas that are experiencing direct impacts of climate change, such as drought, habitat fragmentation and encroachment, disease, and adverse weather events. In the near past, three extreme winters exerted enormous pressure on herds in North Dakota, with negative results.

¹ Andelt, W. F., "Use of Livestock Guarding Animals to Reduce Predation on Livestock" (2004). Sheep & Goat Research Journal. Paper 3.

The last two years have seen a reversal of ungulate losses and have resulted in an increase of 200 licenses in 2014, 550 in 2015 and another projected increase for the upcoming seasons.

Predators and prey co---evolved on the landscape and both provide valuable ecological services. Protecting North Dakota's native species is integral to their mission statement:

"The mission of the North Dakota Game and Fish Department is to protect, conserve and enhance fish and wildlife populations and their habitat for sustained public consumptive and non---consumptive use."

In summary

I have a great deal of empathy for the choices that need to be made in North Dakota. *The science is very clear, and the objectives of the biologists are strongly focused on having a stable and sustainable mountain lion population.*

I respectfully ask the department to consider these requests:

- Institute a temporary moratorium on the sport hunting of mountain lions in North Dakota, pending further study being conducted in partnership with South Dakota State University.
- Develop a Mountain Lion Management Plan with defined objectives and protocols.
- Revisit the analysis of appropriate habitat with a view to successful dispersal and possible expansion of the primary breeding population.
- Develop a mountain lion informational/educational tool, with required mandatory completion, to obtain a mountain lion hunting license.
- Emphasize that the foundation of conflict prevention is sound husbandry practice, while hunting is just a random culling.
- Explore partnerships with organizations to promote education, conflict prevention techniques, and ethical hunting practices.

Thank you for accepting these comments in the respectful and positive manner in which they are being submitted.

Penny

Penelope J. Maldonado
Executive Director
The Cougar Fund
125 N. Cache, upstairs,
PO Box 122, Jackson WY 83001