

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 11 BEAR AND COUGAR

19.31.11.1 ISSUING AGENCY: New Mexico Department of Game and Fish.
[19.31.11.1 NMAC – Rp, 19.31.11.1 NMAC, 4-1-09]

19.31.11.2 SCOPE: Sportspersons interested in bear and cougar management and hunting. Additional requirements may be found in Chapter 17, NMSA 1978, and Chapters 30, 31, 32 and 33 of Title 19.
[19.31.11.2 NMAC – Rp, 19.31.11.2 NMAC, 4-1-09]

19.31.11.3 STATUTORY AUTHORITY: 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds, and fish.
[19.31.11.3 NMAC – Rp, 19.31.11.3 NMAC, 4-1-09]

19.31.11.4 DURATION: [~~April 1, 2009 through March 31, 2014~~] April 1, 2011 through March 31, 2015.
[19.31.11.4 NMAC – Rp, 19.31.11.4 NMAC, 4-1-09; A, 4-1-11]

19.31.11.5 EFFECTIVE DATE: April 1, 2009, unless a later date is cited at the end of individual sections.
[19.31.11.5 NMAC – Rp, 19.31.11.5 NMAC, 4-1-09]

19.31.11.6 OBJECTIVE: Establishing open hunting seasons and regulation, rules and procedures governing the distribution and issuance of bear and cougar licenses by the department.
[19.31.11.6 NMAC – Rp, 19.31.11.6 NMAC, 4-1-09]

19.31.11.7 DEFINITIONS:

- A. “Arrows”** shall mean only those arrows or bolts having broadheads with steel cutting edges.
- B. “Baiting”** shall mean the placing, exposing, depositing, distributing, or scattering of any salt, grain, scent or other feed on or over areas where hunters are attempting to take bear or cougar.
- C. “Bear entry hunt”** shall mean the valid official document containing a carcass tag and harvest reporting instructions awarded through a public drawing for hunting bear. This valid official permit shall entitle the holder of a bear license to hunt where hunter numbers are limited by rule.
- D. “Bear license”** shall mean a valid official document that is issued or approved by the director that each person that is hunting bear in New Mexico must have or obtain prior to hunting.
- E. “Bear zones”** as used herein, shall define hunt areas consisting of one or more game management units as documented in the state game commission’s rule 19.30.4 NMAC Boundary Descriptions for Wildlife Management Areas.
- F. “Bow”** shall mean compound, recurve, or long bow. Sights on bows shall not project light nor magnify.
- G. “Cougar license”** shall mean a valid official document that is issued or approved by the director that each person that is hunting cougar in New Mexico must have or obtain prior to hunting.
- H. “Cougar zones”** as used herein, shall define hunt areas consisting of one or more game management units as documented in the state game commission’s rule 19.30.4 NMAC Boundary Descriptions for Wildlife Management Areas.
- I. “Crossbow”** shall mean a device with a bow limb or band of flexible material that is attached horizontally to a stock and has a mechanism to hold the string in a cocked position. Sights on crossbows shall not project light nor magnify.
- J. “Department”** shall mean the New Mexico department of game and fish.
- K. “Director”** shall mean the director of the New Mexico department of game and fish.
- L. “Game management unit” or “GMU”** shall mean those areas as described in the state game commission’s rule 19.30.4 NMAC Boundary Descriptions for Wildlife Management Areas.
- M. “Hunter designee”** shall mean a person given a written statement by the properly licensed hunter who lawfully killed and possessed the bear or cougar. A written statement consists of: the kind and number of bear and cougar, the date and game management unit of where the bear or cougar was lawfully taken, the hunter’s name, address, and license number under which the bear or cougar was lawfully killed, and the date and place where

written statement was given.

N. “**License year**” shall mean the period from April 1 through March 31.

O. “**Modern firearms**” shall mean center-fire firearms, not to include any fully automatic firearms. Legal shotguns shall be only those shotguns capable of being fired from the shoulder.

P. “**Muzzle-loader or muzzle-loading firearms**” shall mean those rifles and shotguns in which the charge and projectile are loaded through the muzzle. Only blackpowder, Pyrodex or equivalent blackpowder substitute may be used. Use of smokeless powder is prohibited. Legal muzzle-loader shotguns shall be only those shotguns capable of being fired from the shoulder.

Q. “**Unlimited**” shall mean there is no set limit on the number of permits or licenses established for the described hunt areas.

R. “**Web site**” shall refer to accessing the department’s internet address.

S. “**Wildlife management areas**” or “**WMAs**” shall mean those areas as described in the state game commission’s rule 19.30.4 NMAC Boundary Descriptions for Wildlife Management Areas. [19.31.11.7 NMAC – Rp, 19.31.11.7 NMAC, 4-1-09]

19.31.11.8 ADJUSTMENT OF LICENSES, PERMITS, AUTHORIZATIONS, AND HARVEST LIMITS:

A. The director, with the verbal concurrence of the chairman or his designee, may adjust the number of licenses, permits or harvest limits, up or down by no more than 20% within the GMU or zone, to address critical department management needs, significant changes in population levels or habitat availability. This adjustment may be applied to any or all of the specific hunt codes, harvest limits, or sustainable total mortality for bear and cougar. The director, with the verbal concurrence of the chairman or his designee, may also modify the season dates and manner and method of take to facilitate target removals or embedded quotas for cougars and bears in specific areas or zones for ungulate protection or conflict minimization in densely populated residential areas.

B. The department may take management actions independent of seasons, harvest limits or female sub-limits for management of populations or to address critical situations including ungulate population protection, depredation, and issues involving human health and safety.

[19.31.11.8 NMAC – Rp, 19.31.11.8 NMAC, 4-1-09; A, 4-1-11]

19.31.11.9 BEAR AND COUGAR LICENSE APPLICATION REQUIREMENTS AND RESTRICTIONS:

A. One license per year: It shall be unlawful for anyone to hold more than one permit or license for any bear or cougar during the current license year unless otherwise allowed by rule.

B. Validity of license or permit: All bear entry permits or licenses shall be valid only for the specified dates, eligibility requirements or restrictions, legal sporting arms, bag limit and area specified by the hunt code printed on the permit, license, or carcass tag. Over-the counter licenses shall be valid only for the specified dates, eligibility requirements or restrictions, legal sporting arms, bag limit and area specified by rule or regulation.

C. Valle Vidal (as described in 19.30.4.11 NMAC): It shall be unlawful to hunt bear on the Valle Vidal except for properly licensed bear hunters that possess a Valle Vidal elk hunting muzzleloader, bow, or rifle license and only during the dates of the elk hunt specified and successful applicants for the Valle Vidal and Greenwood Area bear entry permit. Use of dogs shall not be allowed for bear hunting on the Valle Vidal.

D. Bear entry hunt: It shall be unlawful to hunt bear in designated wildlife management areas or other specifically designated special entry hunt areas without having a valid bear entry permit and a valid bear license in the hunter’s possession. Bear entry hunters shall be allowed to hunt in any other open bear hunt provided they have a valid bear license and tag. No more than one (1) person may apply under each application number for bear entry permits.

E. License purchase: Cougar hunters must purchase a cougar license at least two days prior to hunting cougar. Bear hunters must purchase a bear license at least two days prior to hunting bear.

F. Youth only (YO) hunts: It shall be unlawful for anyone to participate in youth only (YO) hunts except as allowed by 19.31.3.11 NMAC.

G. Special restrictions for GMUs 15, 16, 17, 34, and 45: It shall be unlawful to hunt bears during any September bow only elk or deer season and during the first elk or deer season that follows the bow season (rifle or muzzleloader) in GMUs 15, 16, 17, 34, and 45 except elk or deer hunters who possess a valid and proper elk or deer license for the specified elk or deer hunt in addition to a valid and proper bear license. All bear hunters under this provision must adhere to the hunt area and weapon type restrictions specified by their elk or deer license.

H. Private land cougar permit: A private land cougar permit shall be required prior to taking any cougar on private land using traps or snares. This permit will authorize the take of cougar on private land or deeded land only.

[19.31.11.9 NMAC – Rp, 19.31.11.9 NMAC, 4-1-09]

19.31.11.10 BEAR AND COUGAR MANNER AND METHOD REQUIREMENTS AND RESTRICTIONS:

A. Season and hours: Bear or cougar may be hunted or taken only during open seasons and only during the period from one-half hour before sunrise to one-half hour after sunset and only in zones or areas designated as open on the department hotline or web-site. Twenty-four (24) hours prior to hunting bear or cougar, every hunter or hunter's designee must call the toll free number designated by the department or access the department's web site, www.wildlife.state.nm.us to determine if their desired hunt zone is open. Failure to call or check prior to hunting is unlawful. Cougar season in each zone will close within 72 hours of when the number of cougars harvested, in addition to all other known mortalities or removals, is within 10% of the female sub-limit, or 10% of the sustainable mortality limit for that zone, whichever occurs first. Bear season in each zone will close within 72 hours of when the number of bears harvested, in addition to all other known mortalities or removals, is within 10% of the female sub-limit, or 10% of the sustainable mortality limit for that zone, whichever occurs first. ~~In cougar and bear zones where the female mortality sub limit is 5 or less, the zone will close within 72 hours after reported harvest, in addition to all other known mortalities is within 20% of the female mortality sub limit.~~

B. Bag limit: It is unlawful for any person to hunt for or take more than one of any bear or cougar during a current license year unless otherwise provided by regulation.

C. Tagging:

(1) Any license that permits the taking of any bear or cougar shall be issued with a bear or cougar tag bearing the name of the species.

(2) It shall be unlawful to possess more than one tag per bear or cougar except as permitted by regulation.

(3) It shall be unlawful for any licensee to fail to appropriately tag the bear or cougar as prescribed below:

(a) Immediately after killing any bear or cougar, the licensee killing the bear or cougar shall notch the proper day and month of kill from the bear or cougar tag.

(b) The tag shall be attached to the carcass or the pelt, whichever portion the hunter possesses of the bear or cougar and the tag shall remain attached to the carcass or pelt while the carcass or pelt is in any vehicle, left unattended in the field, or while it is in camp or at a residence or other place of storage. When the bear or cougar is skinned, the tag must immediately be attached and remain attached to the pelt until a department official places a pelt tag on the pelt as described below. The notched tag may be removed from the carcass while the carcass is being removed from the field to a camp or vehicle. In situations where numerous trips are required to remove the carcass from the field, the tag shall remain attached to that portion of the carcass or pelt left in a camp or vehicle.

(4) A bear or cougar tag, when attached to the carcass or pelt of legally killed bear or cougar, shall authorize possession of the carcass or pelt for five (5) days. The hunter harvesting the bear or cougar must make arrangements with a department official to pelt tag the pelt before the five days (5) expires.

D. Proof of sex of bear or cougar: It shall be unlawful for anyone to transport or possess the pelt (even if the pelt is attached to the carcass) of bear or cougar without proof of sex. The external genitalia of any bear or cougar killed shall remain attached to the pelt and be readily visible until pelt has been inspected and tagged by a department official.

E. Bear and cougar pelt tagging requirements:

(1) Any bear or cougar killed shall be tagged with pelt tag furnished free of charge by the department.

(2) The hunter who kills the bear or cougar or his hunter designee must present the skull and pelt to a department official for tooth removal and pelt tagging within five days of killing the animal or before the pelt can be processed by a taxidermist or before taking the pelt out of New Mexico, whichever comes first. Exception: only skulls of female cougars will have a tooth removed by a department official.

(3) The pelt tag shall remain attached until the pelt is tanned.

(4) The skull of the bear or female cougar must remain unfrozen with the mouth fixed open for removal of a premolar tooth until the skull has been inspected by a department official.

(5) Licensed bear or cougar hunters who provide false or fraudulent information regarding the required information including, but not limited to, sex, date, location of harvest shall be assessed 20 revocation points pursuant to 19.31.2 NMAC.

F. Seizure: Any conservation officer or other officer authorized to enforce game laws and regulations shall seize the carcasses or pelts of bear or cougar that are improperly tagged, presented for pelt tagging without proof of sex attached or without presenting the skull along with the pelt.

G. Use of dogs in hunting: Dogs may be used only to hunt bear and cougar during specific open seasons unless otherwise restricted. Dogs shall not be used to pursue bear during any April 1- April 14 bear season. Dogs shall not be used to pursue bear in any wildlife management area (WMA) as described in 19.30.4 NMAC. No dogs shall be used to pursue bear during bow seasons. Dogs may be used to pursue bears during hunts for any legal weapon and zones listed below. ~~Dogs are required in bear management zone 4 from October 15 through November 15.~~ When dogs are used in pursuit of bear or cougar, the licensed hunter intending to harvest the bear or cougar must be present continuously once any dog is released. It shall be unlawful to release dogs with the intent of pursuing or hunting bears or cougars or to pursue bears or cougars outside of legal shooting hours.

H. Use of baits or scents: It shall be unlawful for anyone to take or attempt to take any bear or cougar by use of baits or scents as defined in 19.31.10.7 NMAC. Scent masking agents on one's person are allowed.

I. Live animals: It shall be unlawful to use live animals as a blind or decoy in taking or attempting to take any bear or cougar.

~~**J. Use of calling devices:** It shall be unlawful to use any electrically or mechanically recorded calling device in taking or attempting to take any bear, such calling devices are allowed for taking cougar.~~

K. Killing out-of-season: It shall be unlawful to kill any bear or cougar out of their respective hunting seasons.

L. Bullets: It shall be unlawful to take or attempt to take bear or cougar by the use of tracer ammunition or any ammunition loaded with full metal jacketed bullets that does not expand or mushroom. Soft-nosed or hollow-pointed bullets may be used in hunting or taking bear or cougar.

M. Drugs and explosives: It shall be unlawful to use any form of drug on an arrow or use arrows driven by explosives.

N. Legal ~~sporting arms or~~ weapon types for bear and cougar are as follows: any center-fire rifle; any center-fire handgun; shotguns not smaller than 28 gauge, firing a single slug; muzzle-loading rifles; bows and arrows; and crossbows and bolts ~~{as designated by the director for certified mobility impaired hunters or as otherwise allowed in rule}~~. The Sandia ranger district portion of the Cibola national forest in zone 4 shall be open for hunting with crossbow and bow only.

O. Areas closed to bear and cougar hunting: The following areas shall remain closed to bear and cougar hunting, except as permitted by regulation: Sugarite canyon state park; Rio Grande wild and scenic river area, including the Taos valley overlook; all wildlife management areas including the water canyon and Marquez WMAs in GMU 9 (Marquez is open only to hunters with valid bear entry permit and bear hunting license); the Valle Vidal area; and sub-unit 6B (Valles Caldera national preserve). Cougar hunting is closed in the Florida mountains hunt area during any open Persian ibex season, except by legal Persian ibex hunters. Persian ibex hunters choosing to hunt cougar under this provision must adhere to the weapon type restriction specified by their ibex license.

P. The size and type of traps or snares or other reasonable methods that assist the take of cougars on private land will be allowed as designated by the director and chairman of the state game commission.

Q. Any take of cougar on public land by the use of traps or snares shall be unlawful.~~[and violators may be subject to enhanced civil assessment penalties pursuant to prospective future amendments to 19.30.11 NMAC.]~~

[19.31.11.10 NMAC – Rp, 19.31.11.10 NMAC, 4-1-09; A, 4-1-11]

19.31.11.11 BEAR HUNTING SEASONS:

A. ~~[Over the counter bear hunts for the 2009-2010 and 2010-2011 hunt seasons listing bear zones, open GMUs or areas within zones, eligibility requirements or restrictions, weapon type restrictions, season dates, sustainable total mortality limits, and female mortality sub-limits sport harvest limits as established by the bear population assessment and harvest management matrix, October 2, 2008 version, are as follows:~~

~~(1) **Bear hunts for the 2009-2010 hunting seasons:** The Sandia ranger district portion of the Cibola national forest in zone 4 shall be open for hunting with bow only.]~~

~~(2) **Bear hunts for the 2010-2011 hunting seasons:** The Sandia ranger district portion of the Cibola national forest in zone 4 shall be open for hunting with bow only.~~

Over-the-counter bear hunts for the 2011-12 through 2014-15 hunt seasons: The following table lists bear zones, open GMUs or areas within zones, weapon type restrictions, season dates, and total mortality limits and female sub-limits.

zone	open GMUs or areas	bow only hunt period	any legal weapon hunt period	Total mortality limit	female sub-limit
1	4, 5, 6, 7, 51, 52	9/1 - 22	9/23 – 11/15	124	50
2A	41, 42, 43, 47, 48, 49, 50, 53, 56, 57, 58 and 59	9/1 - 22	8/16 – 8/31 and 9/23 – 11/15	182	73
2B	45 and 46	9/1 - 22	4/1-4/14 and 8/16 – 8/31 and 9/23 – 11/15	97	49
2C	54 and 55	9/1 - 22	4/1-4/14 and 8/16 – 8/31 and 9/23 – 11/15	105	53
3	9 and 10	9/1 - 22	8/16 – 8/31 and 9/23 – 11/15	25	10
4A	8	9/1 - 22	4/1-4/14 and 10/15 – 11/15	7	4
4B	14	9/1 - 22	4/1-4/14 and 10/15 – 11/15	18	9
5	12, 13, 15, 16, 17, 18, 20, 21, 22, 23, 24, 26, and 27	9/1 - 24	8/16 – 8/31 and 9/25 – 11/30	110	44
6	34, 36, 37 and 38	9/1 - 22	8/16 – 8/31 and 9/23 – 11/30	65	26
	34 sub-limit	9/1 - 22	8/16 – 8/31 and 9/23 – 11/30	31	12
	36 sub-limit	9/1 - 22	4/1-4/14 and 8/16 – 8/31 and 9/23 – 11/15	28	14

B. Entry hunts for the ~~[2009-2010 and 2010-2011]~~ 2011-12 through 2014-15 hunting seasons shall be as indicated below, listing the open areas, hunt dates, hunt codes, number of permits, and bag limit. ~~[Dogs shall not be used to pursue bears during bear entry hunts except in GMU 2.]~~

<u>open GMUs or areas</u>	<u>hunt start</u>	<u>hunt end</u>	<u>hunt code</u>	<u>licenses</u>	<u>bag limit</u>
<u>2, YO</u>	<u>8/1</u>	<u>8/31</u>	<u>BER-1-100</u>	<u>5</u>	<u>1 bear</u>
<u>4: Sargent WMA only</u>	<u>8/1</u>	<u>8/31</u>	<u>BER-1-101</u>	<u>10</u>	<u>1 bear</u>
<u>4: Humphries WMA only</u>	<u>8/1</u>	<u>8/31</u>	<u>BER-1-102</u>	<u>5</u>	<u>1 bear</u>
<u>9: Marquez WMA only</u>	<u>8/1</u>	<u>8/31</u>	<u>BER-1-103</u>	<u>5</u>	<u>1 bear</u>
<u>54/55: E.S. Barker/Colin Neblett WMAs</u>	<u>8/1</u>	<u>8/31</u>	<u>BER-1-104</u>	<u>12</u>	<u>1 bear</u>
<u>55: Valle Vidal and Greenwood Areas</u>	<u>4/1</u>	<u>4/14</u>	<u>BER-1-105</u>	<u>10</u>	<u>1 bear</u>
<u>55: Valle Vidal and Greenwood Areas</u>	<u>8/1</u>	<u>8/31</u>	<u>BER-1-106</u>	<u>10</u>	<u>1 bear</u>

C. Valle Vidal area is closed to bear hunting except for any licensed bear hunter who legally possesses a license for an elk hunt on the Valle Vidal area may harvest a bear during their assigned elk hunt period, or successful applicants for bear entry hunt BER 1-104, provided that zone 2 is open for bear hunting. Legal sporting arms for taking bear in the Valle Vidal area shall be the legal sporting arms for the concurrent elk hunt. Dogs shall not be allowed to pursue bear in the Valle Vidal area. Bear hunting is closed in the Valle Vidal and Greenwood Areas except by legal Valle Vidal and Greenwood Area elk hunters or successful applicants for bear entry hunts BER-1-105 and BER-1-106. Valle Vidal and Greenwood Area elk hunters choosing to hunt bears under this provision must adhere to the weapon type restriction specified by their elk license.

D. Bears taken from the Sargent and William A. Humphries WMAs in zone 1, Elliot Barker/Colin Neblett WMAs and Valle Vidal and Greenwood Areas in zone 2, or Marquez WMA in zone 3 shall count towards the harvest limit in those zones. ~~Bears removed by department management action will count against that zone's harvest limit. Bears relocated to other zones and harvested in the zone of release during that fall's hunt season will count against the zone of origin and not the zone where released. If a relocated bear is harvested in a subsequent year, the harvest counts as a normal kill in the zone of harvest.~~

E. Bag limit shall be one bear except any female accompanied by cub(s), or except any cub less than a year old~~[, unless otherwise indicated].~~

[19.31.11.11 NMAC – Rp, 19.31.11.11 NMAC, 4-1-09; A, 4-1-11]

19.31.11.12 COUGAR HUNTING SEASONS:

A. Over the counter cougar hunt seasons shall be from October 1 through March 31 annually or until the total sustainable mortality limit, or female sub-limit, whichever comes first, is met in any given cougar management zone. On private lands the season shall run from April 1 through March 31 annually or until the total sustainable mortality limit, or female sub-limit, whichever comes first, is met in any given cougar management zone.

[A] B. Private landowners or their designees who hunt on private land must obtain a private land cougar permit prior to trapping or snaring a cougar on private land. It shall be unlawful for any private land cougar hunter to take a cougar contrary to the allowable manner and method including traps and snares.

[B] C. Cougar zones, open GMUs or areas within zones, eligibility requirements or restrictions, total sustainable mortality limits, and female sub-limit are as follows:

zone	open GMUs or areas	total sustainable mortality	female sub-limit
A	2 and 7	73	22
B	5, 50, and 51	50	15
C	43, 45, 46, 48, 49, 53, 54, 55	121	61
D	41, 42, 47 and 59	32	16
E	9 [(except the Marquez and Water canyon WMAs)] and 10	88	26
F	6 and 8	65	33
G	13, 14 , and 17	104	52
H	19 and 20	33	17
I	18, 36, 37, and 38	64	19
J	15, 16, 21, and 25	156	47
K	22, 23, and 24	95	47
L	26 and 27	27	13
M	31, 32, 33, 39, and 40	51	15
N	4 and 52	27	8
O	12	36	11
P	56, 57, and 58	17	5
Q	28, 29, 30, and 34	60	18
R	54 and 55	46	14
S	8 and 14	36	18

[C] D. Bag limits shall be one cougar, except any female accompanied by a spotted kitten(s), and except any spotted kitten.

[19.31.11.12 NMAC – Rp, 19.31.11.12 NMAC, 4-1-09; A, 4-1-11]

19.31.11.13 - 19.31.11.14 [RESERVED]

19.31.11.15 PROCEDURES FOR CONDUCTING COUGAR DEPREDATION CONTROL IN OCCUPIED BIGHORN SHEEP RANGES:

A. The department shall investigate all bighorn sheep deaths to determine if cougar depredation has occurred. To determine cougar depredation, a field examination and a standardized necropsy of the dead bighorn sheep shall be completed by a department employee or contractor.

B. Should it be determined that a depredation has occurred, the following procedures will be used.

(1) The department will make an ~~written~~ evaluation of the following: viability of the statewide bighorn population, review of long-term and recent data on the local population (or meta-population) review of data on recent predation, alternative management options such as habitat manipulation or transplants, feasibility of taking the offending animal(s), effects on the predator population, and feasibility of having a positive effect on the local bighorn population.

(2) The wildlife management division and the appropriate area operations office will be contacted.

(3) A permit for the taking of each depredating cougar(s) will be issued to the local district wildlife officer. Physical possession of the permit is not required to initiate action.

(4) A decision to hound hunt or snare will be based on evidence at the kill site.

(5) If the bighorn sheep kill is fresh enough that the cougar may return or is likely to still be in the immediate area, the department will attempt to get a hound-hunter or trapper to begin hunting the cougar(s) the same day the bighorn carcass is discovered.

(6) The size of the hunted area will be determined from the sex and in some cases number of cougars (i.e. female with kittens) involved in the bighorn kill.

(7) Where possible, cougar feces shall be taken at the scene of the depredation and tissue samples from the cougar killed by the hunter(s) will be collected. Deoxyribonucleic acid (DNA) testing will be performed to determine if the scat and tissue samples are from the same cougar.

[19.31.11.15 NMAC – Rp, 19.31.11.15 NMAC, 4-1-09]

19.31.11.16 DURATION OF DEPREDATION CONTROL PROGRAMS: The duration of the special permit to take depredating cougars shall be for no more than six weeks from the onset to the end of the measures taken. An evaluation and justification for extension of the permit shall be written before measures will continue beyond 6 weeks.

[19.31.11.16 NMAC – Rp, 19.31.11.16 NMAC, 4-1-09]

19.31.11.17 PROCEDURES FOR CONDUCTING PREVENTIVE COUGAR CONTROL IN BIGHORN SHEEP RANGES:

A. The New Mexico department of game and fish may conduct preventive cougar control within bighorn sheep ranges. [~~identified as: that portion of GMU 13 including Mesa Sarea, the entire Ladron mountain range, including the area along the Rio Salado west of the Sevilleta national wildlife refuge (SNWR) border to Riley road to include the area 3 miles north of the Rio Salado and 1 mile south of the Rio Salado; a 2 mile wide area from the west boundary of the SNWR from the Rio Salado to the southwest corner of the SNWR; and an area south of the SNWR to include Polvadera mountain and Socorro mountain in a line directly south of the southwest corner of the SNWR to NM highway 60 and east on NM highway 60 to interstate 25 and north on interstate 25 to the southeast corner of the SNWR and then west along the south border of the SNWR to the southwest corner of the SNWR. SNWR and New Mexico tech property are closed to all cougar hunting; that portion of the Manzano mountains in GMU 14 from Comanche canyon south to US 60 and from the western base of the mountains east to the ridge comprised of Capilla, Osha and Manzano peaks and all of Sand, Priest and Abo canyons; that portion of GMU 19 beginning at the intersection of US 70 and interstate 25 (I 25) running south along I 25 to its intersection with I 10, thence south along I 10 to its intersection with the Texas/New Mexico state line, thence east along the state line to its intersection with NM 213, thence north along NM 213, which in turn becomes White Sands missile range (WSMR) range road 1 to its intersections with US 70, thence east along US 70 to its intersection with WSMR range road 7, thence north along WSMR range road 7 to its intersection with WSMR range road 8, thence northeast along WSMR range road 8 to the intersection with WSMR range road 12, thence east along WSMR range road 12 to its intersection with WSMR range road 11, thence north along WSMR range road 11 to its intersection with the northern boundary of WSMR, thence west along the WSMR boundary to its intersection with WSMR range road 13, thence south along WSMR range road 13 to its intersection with WSMR range road 16, thence south on WSMR range road 16 to its intersection with WSMR range road 5, thence continue west to the western boundary of WSMR thence south along the WSMR boundary to its intersection with US 70, then west along US 70 to its intersection with I 25; that portion of GMU subunit 16B west of the west fork of the Gila river and south of the Catron/Grant county line; all of GMU 22; that portion of GMU 23 that is south of the Apache and Gila national forest boundary and north of NM 78; that portion of GMU 24 that is west of NM 15; that portion of GMU 20 including all of the Caballo mountain range south of highway 51, east and north of I 25, and west of the BNSF railroad tracks; that portion of GMU 58 including all of the Dry Cimarron drainage from the Colorado border to 6 miles south of highway 456, east to the Oklahoma border and west to highway 551, and all of GMU's 26 and 27.]~~

B. The total number of cougars removed per license year from any zone containing bighorn ranges will not exceed the sustainable mortality limit for that zone unless approved ~~[by the director]~~ pursuant to 19.31.11.8 NMAC.

C. The department will obtain the services of houndsmen or trappers either from the department's depredation list or through private contract.

D. A decision to hunt with hounds or to use snares will be made by the department.

E. All cougars taken for preventive control will be reported to the department.

F. The department will provide a program evaluation update to the commission no later than December biennially beginning in December 2010.

[19.31.11.17 NMAC – Rp, 19.31.11.17 NMAC, 4-1-09; A, 4-1-11]