

PROPOSED AMENDMENTS TO THE BEAR AND COUGAR AND HABITAT PROTECTION RULES

The Department proposed amendments to the Bear and Cougar Rule (19.31.11 NMAC) and the Habitat Protection Rule (19.34.2 NMAC) to address Department management objectives. Proposed changes include:

- Removing depredation and road kills from harvest limits
- Modifying bear zones
- Extending Valle Vidal spring bear hunt to May 15
- Extending Rule duration through 2015-16 hunt season
- Increasing cougar season to yearlong statewide
- Increasing cougar bag limit to two adult cougars
- Modifying Cougar Zone P – objective to stabilize/reduce to protect the Dry Cimarron bighorn sheep herd

The process as presented to the State Game Commission meets the Sport Hunting and Fishing Program Objectives Two and Six of the Department's *Strategic Plan FY 2010 – FY 2014*.

Summary of amendments (See highlighted text in following pages.)

19.31.11 NMAC BEAR AND COUGAR and 19.34.2 NMAC Habitat Protection

1. Replace "total mortality limit" with "total harvest limit" to determine zone closures.
2. Establish cougar season to April 1 – March 31 statewide and increase bag limit from 1 to 2 adult cougars per license.
3. Renumbered Bear Management Zones to clarify and simplify zones.
4. Increased Valle Vidal Spring Bear Hunt from 2 to 6 weeks.
5. Added 1 year to duration of bear and cougar rule to maintain 4-yr rule period.
6. Changed population objective in cougar zone P to stabilize/reduce, increasing harvest limit to 14 total or 7 females.
7. Modify Habitat Protection Rule (19.34.2 NMAC) to allow spring bear hunters to access the Valle Vidal closure area.

19.34.2 NMAC Habitat Protection amends section 10.

19.34.2.10 CLOSURE TO ENTRY:

A. Summer closure.

(1) The elk calving area described in part 10.1.2 [now Paragraph (2) of Subsection A of 19.34.2.10 NMAC, below] will be closed to public entry during the period of May 1 through June 30 of each year except on those roads therein that have been posted with arrows as open **or as allowed by Rule**.

19.31.11 NMAC BEAR AND COUGAR amends sections 4, 8, 9, 10, 11 and 12.

19.31.11.4 DURATION: April 1, 201~~4~~ 2 through March 31, 20~~15~~ 16.

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

B. The [department] director, with the verbal concurrence of the chairman or his designee, 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. The decision to take management actions pursuant to this subsection shall be reported to the commission within 48 hours.

19.31.11.9 BEAR AND COUGAR LICENSE APPLICATION REQUIREMENTS AND RESTRICTIONS:

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(s) on private land or deeded land only.

19.31.11.10 BEAR AND COUGAR MANNER AND METHOD REQUIREMENTS AND RESTRICTIONS:

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 in any wildlife management area (WMA) as described in 19.30.4 NMAC except as otherwise permitted in regulation. 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. When dogs are used in pursuit of bear or cougar, the licensed hunter intending to that harvests 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.]. It shall be unlawful to:

1. release dogs with the intent of pursuing or hunting bears or cougars or to pursue bears or cougars outside of legal shooting hours, and
2. to kill a bear or cougar that was pursued by dogs unless the hunter was present continuously from the initial release of the dog(s).

Q. Any take of cougar on public land by the use of traps or snares shall be unlawful unless authorized by the director.

19.31.11.11 BEAR HUNTING SEASONS:

A. Over-the-counter bear hunts for the [2011-15]2012-17 hunt seasons: The following table lists bear zones, open GMUs or areas within zones, weapon type restrictions, season dates, and total [mortality] harvest limits, female sub-limits, and quotas. Management objectives are to stabilize bear populations in zones [1, 2A, 3, 4A, 4B, 5, 6A, and 6B] 1, 2, 3, 6, 7, 8, 9, 10, 11, 12 and 13 and to reduce bear populations by [20] 15% over the next [4]3 years in zones [2B, 2C, and 6C-4,] 5 and 14.

zone	open GMUs or areas	bow only hunt period	any legal weapon hunt period	2011-12 total limit (female)	2012-13 total limit (female)	2013-14 total limit (female)	2014-15 total limit (female)	2015-16 total limit (female)
[1A] 1	4, 5, 6, 7, 51, 52	9/1 - 22	9/23 - 11/15	139 (56)	139 (56)	139 (56)	139 (56)	139 (56)
[1B] 2	2	9/1-22	9/23 - 11/15	15 (6)	15 (6)	15 (6)	15 (6)	15 (6)
[2A] 3	[41, 42,] 43, [47, 48, 49, 50], 53, 56, 57, 58 and 59] and 53	9/1 - 22	8/16 - 8/31 and 9/23 - 11/15	85 (34)	85 (34)	53 (22)	53 (22)	53 (22)
[2B] 4	45 and 46	9/1 - 22	8/16 - 8/31 and 9/23 - 11/15	122 (61)	116 (58)	110 (55)	104 (52)	104 (52)
[2C] 5	54 and 55	9/1 - 22	8/16 - 8/31 and 9/23 - 11/15	106 (53)	100 (50)	95 (48)	90 (45)	90 (45)
[2D] 6	41, 42, 47 and 59	9/1 - 22	8/16 - 8/31 and 9/23 - 11/15			8 (3)	8 (3)	8 (3)
[2E] 7	56, 57 and 58	9/1 - 22	8/16 - 8/31 and 9/23 - 11/15			24 (9)	24 (9)	24 (9)

[3] 8	9 and 10	9/1 - 22	8/16 - 8/31 and 9/23 - 11/15	25 (10)	25 (10)	25 (10)	25 (10)	25 (10)
[4A] 9	8	9/1 - 22	10/15 - 11/15	5 (2)	5 (2)	5 (2)	5 (2)	5 (2)
[4B] 10	14	9/1 - 22	10/15 - 11/15	12 (5)	12 (5)	12 (5)	12 (5)	12 (5)
[5] 11	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	109 (44)	109 (44)	109 (44)	109 (44)	109 (44)
[6A] 12	37 and 38	9/1 - 22	8/16 - 8/31 and 9/23 - 11/30	16 (6)	16 (6)	16 (6)	16 (6)	16 (6)
[6B] 13	34	9/1 - 22	8/16 - 8/31 and 9/23 - 11/30	31 (12)	31 (12)	31 (12)	31 (12)	31 (12)
[6C] 14	36	9/1 - 22	8/16 - 8/31 and 9/23 - 11/15	28 (14)	26 (13)	25 (13)	24 (12)	24 (12)

B. Entry hunts for the 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.

open GMUs or areas	hunt start	hunt end	hunt code	licenses	bag limit
55: Valle Vidal and Greenwood areas	8/1	8/31	BER-1-105	20	1 bear
*55: Valle Vidal and Greenwood areas	4/1	[4/14] 5/15	BER-1-106	20	1 bear

* Experimental spring bear hunt: This hunt is designed to test the effects of spring bear take on the mortality of elk calves in the Valle Vidal and Greenwood areas. This hunt shall close once 15 bears have been harvested.

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] 5 or Marquez WMA in zone [3] 8 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.]

19.31.11.12 COUGAR HUNTING SEASONS:

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

C. The following table lists cougar zones, open GMUs or areas within zones, weapon type restrictions, season dates, total mortality limits and female sub-limits for the 2011-15 seasons. Management objectives include increasing cougar populations in zones A, B, E, I, J, M, N, O, P, Q and R, by harvesting at ≤ 17% and no more than 30% females and to maintain stable or decrease cougar populations in zones C, D, F, G, H, K, L, P and S by harvesting at ≤ 25% and no more than 50% females.

zone	open GMUs or areas	2012-13 total limits (female)	2013-14 total limits (female)	2014-15 total limits (female)	2015-16 total limits (female)	2016-17 total limits (female)
<u>P</u>	56, 57, and 58	[10 (3)]14 (7)	[10 (3)]14 (7)	[10 (3)]14 (7)	[10 (3)]14 (7)	[10 (3)]14 (7)

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