

# APNM Sues New Mexico Game Commission for Cougar Killing Plans

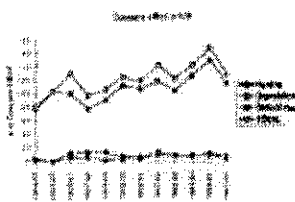
[Graph of Cougars Killed](#) | [Lawsuit Summary](#) | [What You Can Do](#)

On Wednesday, November 26th, 1998 Animal Protection of New Mexico, Inc. (APNM) filed a [lawsuit](#) against the New Mexico Game Commission in New Mexico District Court in Santa Fe.

The lawsuit asks the court to set aside the decision the Commission made at the October 1997 Game Commission meeting allowing hunters to kill two cougars in ten Game Management Units in the state. The Commission policy would take effect on December 1, 1998 when the cougar hunting season begins. Commissioners Padilla, Brininstool, Elgin, and Ortega voted in favor of the increased kill, while Commissioners Cramer, Schuler and Mayer voted against the measure.

By law, the Game Commission is required to "... give due regard to the ... distribution, abundance, economic value and breeding habits of such game animals..." including cougars. However, the Commission failed to consider these aspects when arbitrarily deciding to allow more cougars to be killed in ten units within the state. The Commission passed the bag limit increase

- without any certainty about the current population of cougars in New Mexico;
- without knowing the effect of their proposed policy on the cougar population;
- without regard to the length of time the policy should stay in place; and
- without any means for monitoring the effect of this policy on the cougar population.



[Chart of Cougars Killed In NM](#)

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In addition, the Commission passed the kill increase in seven of the ten units, ostensibly to "protect" Desert Bighorn sheep populations. However, the Department of Game and Fish's own internal study as well as the ten-year Hornocker Wildlife Institute study funded by the Department showed that removing cougars from areas with Desert Bighorn sheep did not result in an increase in the Desert Bighorn sheep population.

Notably, the Department's own Wildlife Division staff urged the Commission not to adopt the "bag limit" increase. And the Commission ignored broad public opinion that was presented to them prior to their vote that favored stronger

conservation of cougars in New Mexico. All 784 public comments were reviewed and summarized by APNM staff and presented to the Commission prior to their vote. Eighty-five percent of the comments indicated support for stronger protection of cougars.

"This decision demonstrates the unscientific, undemocratic and obsolete manner in which so many of our wildlife management decisions are made in New Mexico and throughout the West. It is appalling that citizens are left with no other option than to sue their policy-makers for their irresponsible decisions," said Elisabeth Jennings, Executive Director of APNM.

The Western Environmental Law Center, a regional public interest environmental law firm that represents environmental organizations across the West, filed the lawsuit on APNM's behalf.

APNM has been researching the killing of cougars in New Mexico for over a year, and this lawsuit represents the beginning of a campaign to give stronger protection to these beautiful cats in the state. APNM is also encouraging the Game Commission to support a Cougar Management Plan which at least includes the creation of two large cougar refuges, the monitoring of cougar populations throughout the state, and the implementation of quotas on female and total cougars killed. APNM has also recommended a moratorium on cougar hunting since there is so little information about the current population of the animals in New Mexico.

Cougars are beautiful, stealthy animals who mostly keep to themselves. That is partly why most people have never seen a cougar in the wild. While cougars occasionally kill livestock, they prefer mule deer and other smaller prey. Even though they regulate their own populations in the wild, there are forces in our state and throughout the West that would prefer not to see any cougars in the wild. This is mostly because of what we call "predator prejudice" - an unreasonable fear of a predator who is simply "making a living" in the wild. Unfortunately, some people think if even one domestic cow or sheep is killed, then there is no place for predators. What makes this kind of thinking so outrageous is that cougars are often killed on our public lands. Some ranchers take few if any precautions to protect their livestock from being killed - their herds are left on the open range often for months at a time without any oversight.

If cougars are to continue to be part of the New Mexico landscape, it is imperative that the Game Commission hear from the majority of the public who want stronger protection for them.

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**Your help is needed! Here is what you can do:**

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Write to the Game Commission and ask for the following: (Please write even if you've already written!)

- no increases in cougar kills in any game management unit;
- an immediate halt to the Game Management Unit 30 preventative killing program;
- the establishment of at least two refuges of at least 1,000 square miles each. So-called "de-facto" refuges such as the White Sands Missile Range are not acceptable on their own;
- quotas on females and total cougars killed each year; and
- a moratorium on cougar hunting, since no accurate population figures exist.

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