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MINUTES
June 9, 2023

The Nebraska Game and Parks Commission met in the meeting room at the Alma Golf Course Country Club Alma, NE for the transaction of business, advance public notice having been given through release to news media and official public notice published in the Lincoln Journal Star on May 25, 2023.

The meeting was called to order at 8:00 A.M. Vice-Chairman Zingula advised this meeting was being held in conformance with the State Open Meeting Act and the act was available for review on the table at the back of the room. Members present: Pat Berggren, Broken Bow; Doug Zingula, Sidney; Rick Brandt, Lincoln; Ken Curry, Columbus; John Hoggatt, Kearney; Dan Hughes Venango and Donna Kush, Omaha. Scott Cassels, Omaha was absent.

Minutes of the business meeting held April 19, 2023 were reviewed.

Motion by Mr. Curry and seconded by Mr. Brandt to approve the meeting minutes. Voting aye: Kush, Zingula, Curry, Hoggatt, Brandt, Berggren and Hughes; Cassels was absent; voting nay: None. Motion carried.

Financial vouchers for April and May were reviewed.

Motion by Mr. Berggren and seconded by Mr. Hoggatt to approve the financial vouchers. Voting aye: Zingula, Curry, Hoggatt, Berggren, Brandt, Hughes and Kush; Cassels absent; voting nay: None. Motion carried.

Director's Report

Director McCoy thanked the Alma Country Club board for hosting our meetings and preparing dinner Thursday evening. He also thanked the Jim Bowen and Larry Janicek who led a fishing tour of Harlan County Reservoir on Wednesday.

Tom Zikmund, Project Manager of the Republican City Office US Corps of Engineers along with present and former staff accepted a Prominent Partner award for the recreation and conservation work they do for Nebraska and their great partnership and collaboration with Nebraska Game and Parks.

McCoy also presented a 30-year service award to Ted LaGrange who is NGPC's Wetlands Program Manager.

The Director reviewed some recent and upcoming NGPC events, including the next Commission

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meeting that will be held in Valentine at the Niobrara Lodge August 3 & 4, 2023.

End Director's Report

Vice-Chairman Zingula read staff recommendations to call for a public hearing at the August Commission meeting to consider amendments to Chapter 4 Wildlife Regulations Section 014, Mountain Sheep.

Motion by Ms. Kush and seconded by Mr. Berggren to approve staff recommendations. Voting aye: Hoggatt, Curry, Hughes, Berggren, Brandt, Zingula and Kush; Cassels absent; voting nay: None. Motion carried.

Vice-Chairman Zingula read staff recommendations to call for a public hearing at the August Commission meeting to consider amendments to Commission Order C014, Mountain Sheep.

Motion by Mr. Brandt, seconded by Mr. Hoggatt to approve staff recommendations. Voting aye: Hughes, Berggren, Brandt, Kush, Zingula, Curry, and Hoggatt; Cassels absent; voting nay: None. Motion carried.

Vice-Chairman Zingula opened the public hearing at 8:15 AM to consider amendments to Wildlife Regulations Section 037 Mountain Lions to add areas open to harvest, harvest limits, adjust the number of permits that may be issued during the lottery, and clarify checking requirements. Furbearer and Carnivore Program Manager Sam Wilson reviewed staff recommendations. He shared research data, observations, and landowner input which support a season in the Pine Ridge with a harvest limit of four lions, with a sub-limit of two females.

Ongoing research, observations and landowner input have indicated the Niobrara Valley also has a resilient population to support a season there as well. The only difference is the limit will be two lions, with a sub-limit of one female. The season design is the same for both locations, the only differences are the harvest limit and the unit boundaries.

A total of 33 comments were received prior to the hearing deadline, five from Nebraska residents and 28 from non-residents. Of the in-state comments, three were in support of Mountain Lion seasons and two were opposed. All 28 non-resident comments were in opposition. The letters requesting to be included in the public record are attached at the end of these minutes. No public testimony was offered during the hearing. The hearing was closed at 8:42 AM.

Motion by Mr. Brandt, seconded by Ms. Kush to approve staff recommendations. Voting aye: Kush, Zingula, Curry, Hoggatt, Berggren, and Hughes; Cassels absent; voting nay: Brandt. Motion carried.

Vice-Chairman Zingula opened the public hearing at 8:43 AM to consider amendments to Fisheries Regulations Section 006 Sportfish. Fisheries Division Administrator Dean Rosenthal reviewed staff recommendations to allow archery paddlefish permit holders to harvest paddlefish in the stilling basin below Gavin's Point Dam, except that the north wall of the spillway will remain closed to archery paddlefish fishing. There were no public comments received prior to this hearing and there was no public testimony at the hearing. The public hearing was closed at 8:51 AM.

Motion by Mr. Berggren, seconded by Mr. Brandt to approve staff recommendations. Voting aye: Zingula, Curry, Hoggatt, Berggren, Brandt,

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Hughes and Kush; Cassels absent; voting nay: None. Motion carried.

Vice-Chairman Zingula opened the public hearing at 8:52 AM to consider amendments to Wildlife Regulations Section 005 Game birds (not including turkey, coots and migratory waterfowl), Furbearers, and Cottontail Rabbit and squirrels, to change the reporting and daily status checking requirements for a river otter harvest. Furbearer and Carnivore Program Manager Sam Wilson shared staff recommendations. Otter harvest declined after the first year, although the otter population continues to grow. Staff feels the check in requirement that otters must be checked in within 24 hours after harvest and removing the daily season status telephone check requirement is no longer necessary and will make the process simpler for trappers. Otters will still need to be checked in, but not until the season ends or the otter is sold or transferred to someone else, as they still need to be tagged. There was no public comment received prior to the hearing and no public testified at the hearing. The public hearing was closed at 9:02 AM.

Motion by Ms. Kush and seconded by Mr. Curry to approve staff recommendations. Voting aye: Curry, Hoggatt, Berggren, Brandt, Hughes, Kush and Zingula; Cassels was absent; voting nay: None. Motion carried.

There was a ten-minute recess.

Vice-Chairman Zingula opened the public hearing at 9:16 AM to consider amendments to Wildlife Commission Orders C05 Game Birds (not including turkey, coots and migratory waterfowl), Furbearers, and Cottontail Rabbit and squirrels, to eliminate the harvest closing trigger for river otters. Furbearer and Carnivore Program Manager Sam Wilson shared staff recommendations to remove the harvest limit trigger that ends the river otter season. There was one out of state comment in opposition to this change. There was no public testimony offered at the meeting. The public hearing was closed at 9:22 AM.

Motion by Mr. Curry and seconded by Ms. Kush to approve staff recommendations. Voting aye: Hoggatt, Berggren, Brandt, Hughes, Kush, Zingula and Curry; Cassels was absent; voting nay: None. Motion carried.

Public Comment Period-Mr. Wade Johnson was present from Holdrege to share how devastated he was at the status of Pelican Lake on the Valentine Refuge. He says that all the vegetation is gone and this has ruined his favorite lake. He has concerns that perhaps some of the chemicals that were used to kill carp adversely affected the vegetation there. Fisheries Division Administrator Dean Rosenthal assured him that Rotenone would not affect the vegetation. The USFWS treated the area with a chemical to reduce cattails, which was the primary vegetation around the lake.

Communications Assistant Division Administrator Jeff Rawlinson was present to review staff recommendations for Commission approval to designate the Nebraska Game and Parks Outdoor Education Center (NOEC) at 4703 N. 44th Street Lincoln, NE as the Nebraska Game and Parks Turpin Outdoor Education Center in honor and remembrance of Dick Turpin. Turpin was a long-time employee of Game and Parks who reached thousands through hunter's education and was a mentor to many in his field.

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Motion by Mr. Hoggatt, seconded by Mr. Brandt to approve staff recommendations. Voting aye: Berggren, Brandt, Kush, Zingula, Curry, Hoggatt, and Hughes; Cassels absent; voting nay: None. Motion carried.

Wetlands Program Manager Ted LaGrange shared a wetlands educational presentation that was funded by US Environmental Protection Agency, with matching contributions from NGPC, UNL Platte Basin Timelapse, Cooperative Fish and Wildlife Research Unit and Ducks Unlimited.

Executive Session

Motion by Mr. Curry and seconded by Mr. Berggren to enter executive session for the purpose of discussing personnel at 10:02 AM, asking the Directors to participate. Voting aye: Curry, Hoggatt, Brandt, Berggren, Kush, Zingula, and Hughes; Cassels absent; voting nay: None. Motion carried.

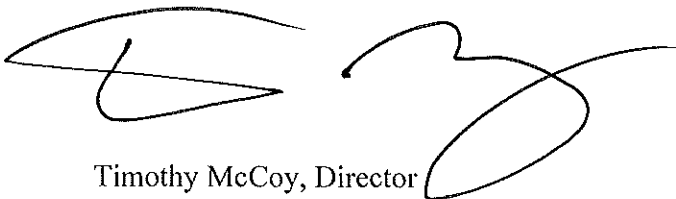
The Chairman called the meeting back into regular session at 10:27 AM.

Mr. Zingula moved, and Mr. Brandt seconded, to leave executive session. Voting aye: Hoggatt, Brandt, Berggren, Kush, Zingula, Curry and Hughes; Cassels absent; voting nay: None. Motion carried.

Adjournment

The Chair adjourned the meeting with unanimous consent at 10:29 AM.

I hereby certify the foregoing is a true and correct copy of action taken by the Nebraska Game and Parks Commission at its meeting held June 9, 2023.

A handwritten signature in black ink, appearing to be 'Timothy McCoy', written over a printed name.

Timothy McCoy, Director

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25 May 2023

Dear Sheri Henderson and the Nebraska Game and Parks Commission,

I'm writing to express my opposition to proposed amendments to Title 163, Nebraska Administrative Code, Chapter 4 Wildlife Regulations Section 037 Mountain Lions, which would expand mountain lion hunting. I wish my letter to be included as part of the hearing record.

I commend the Nebraska Game and Parks Commission's goal to "maintain resilient, healthy, and socially acceptable mountain lion populations" and its guiding principles, which explicitly state that "mountain lions are an important component of Nebraska's native biodiversity" and that "mountain lion management programs will be based on scientifically and biologically sound principles." Mountain lions are increasingly recognized as a species that supports healthy ecosystems, allowing for people to thrive and benefit from diverse natural resources.

Analyses conducted by Nebraska's biologists in 2019 suggest that the Pine Ridge mountain lion population has shrunk to just 34 animals, not grown. Based on research conducted across the West, about a third of these animals will be kittens still with their mothers. I encourage you to reduce not maintain the current harvest limits to allow this population to grow to larger numbers more resilient to harvest.

As recently as 2021, your biologists said the Niobrara river valley didn't have enough animals to host legal harvest, so there is no reason to add the Niobrara as a hunting unit at this time and every reason not to initiate mountain lion hunting in the Niobrara.

I've been a mountain lion biologist for more than 20 years. We can support their recreational hunting and conserve them. But to do so, Nebraska needs a well-established population. In 2010, the Commission conducted an analysis that determined that 4% of Nebraska was suitable habitat for mountain lions. This means that Nebraska could someday be home to 401-561 mountain lions.

Right now, however, initiating hunting in the Niobrara, where you lack even a population estimate, is indefensible conservation management. And to maintain a harvest of what might be 20% of the independent animals in the tiny population in the Pine Ridge cannot be called scientifically-based management. Please, I ask the Commission to allow Nebraska's mountain lion population to grow so that they become a sustainable natural resource benefiting all of Nebraska's people, including its hunters.

Thank you for your time.

Sincerely,

Mark Elbroch, melbroch@panthera.org, Ph: 2072408550
3174 Lost Mountain Rd.
Sequim, WA 98382

May 30, 2023

Sheri Henderson
Nebraska Game and Parks Commission
2200 North 33rd Street
Lincoln, NE 68503-0370.

Request for the Public Record:

Re: Mountain Lion Hunting in the Niobrara River Valley

To Nebraska Game and Parks Commission,

As a former Washington State Fish & Wildlife Commissioner and retired wildlife biologist, I write today to recommend that the Nebraska Game and Parks Commission (“Commission”) does not expand mountain lion (“lion”) hunting in the Niobrara River Valley.

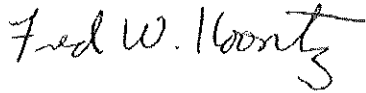
Doing so will ignore “best available science” on both population viability [1] and the limited role that recreational hunting can play in managing lion-human conflict [2]. The fragmented nature and low number of Nebraska lions (<75) is far from the minimum number and spatial distribution to ensure their persistence. Virtually all conservation biologists would consider Nebraska’s lion population endangered and hunting them would be out of the question at this early time in their state recovery. I trust you know this and the other relevant biology in order to make your decision.

Biology is not why I write today, but to share my experience as a fellow wildlife commissioner (2021), where I learned firsthand the crippling consequences that shifting public wildlife values can have on your Commission and Department, if ignored. Findings of the *America’s Wildlife Values Study* [3] show that as the United States modernizes (as indicated by increased income, education, and urbanization), there is a shift from domination values toward animals to mutualism values. With domination values, animals are seen solely as natural resources to be used and managed to benefit humans, including for recreational pleasure. By contrast, mutualism values see animals as having intrinsic value beyond simply their consumptive use and belonging to a human-animal-ecosystem social community. In addition to these changing values, and prompted by the environmental emergencies of climate change and biodiversity loss, state wildlife agencies increasingly are criticized by environmentalists over their purpose: Should these state wildlife agencies stick to their traditional mission of animal trapping, hunting, and fishing or should they focus on biodiversity conservation and animal wellbeing?

Changing agency priorities seems inevitable because the number of mutualists is growing and hunters declining. State wildlife commissions today are caught in the middle trying to find consensus in decisions given the near equal proportion of people who hold domination or mutualism values. For example, the *America’s Wildlife Values Study* found that 35% of Nebraskans hold domination values (“traditional”) and 29% are mutualists [4]. Your job is not easy and will require making compromises and changes from the status quo to demonstrate that you are responding to a changing stakeholder population.

Hunting lions in the Niobrara River Valley (or anywhere in Nebraska) at this time risks their recovery and long-term persistence. The biology is clear. However, equally important is that by increasing lion hunting with such low numbers you undoubtedly will provide justified evidence to Nebraskan mutualists and conservation experts across the country that your Commission is failing to protect Nebraska's wildlife for the benefit of all, today and tomorrow. Don't do it!

Sincerely,



Fred W. Koontz, Ph.D.
Duvall, WA 98019

References

- [1] Trail, L.; Bradshaw, C., and Bronk, B. 2007. Minimum viable population size: a meta-analysis of 30 years of published estimates. *Biological Conservation*, 139 (2007), pp. 159-166. <https://doi.org/10.1016/j.biocon.2007.06.011>.
- [2] Laundré, J. W.; and Papouchis, C. (2020). The Elephant in the room: what can we learn from California regarding the use of sport hunting of pumas (*Puma concolor*) as a management tool? *PLOS ONE* <https://doi.org/10.1371/journal.pone.0224638>
- [3] Manfredo, M. J., Sullivan, L., Don Carlos, A. W., Dietsch, A. M., Teel, T. L., Bright, A. D., and Bruskotter, J. (2018). America's wildlife values: The social context of wildlife management in the U.S. National report from the research project entitled "America's Wildlife Values." Fort Collins, Colorado: Department of Human Dimensions of Natural Resources, Colorado State University. See: <https://sites.warnercnr.colostate.edu/wildlifevalues/results/>.
- [4]] *Nebraska Wildlife Values Report*. <https://content.warnercnr.colostate.edu/AWV/NE-WildlifeValuesReport.pdf>. In Manfredo, M. J., Sullivan, L., Don Carlos, A. W., Dietsch, A. M., Teel, T. L., Bright, A. D., and Bruskotter, J. (2018). America's wildlife values: The social context of wildlife management in the U.S. National report from the research project entitled "America's Wildlife Values." Fort Collins, Colorado: Department of Human Dimensions of Natural Resources, Colorado State University.

Colin Croft
210087 Turkey Drive
Gering, NE 69341
June 6, 2023

RE: Public comment requested to be included as part of the hearing record for NGPC hearing 6.9.23 to consider amendments to Title 163, Nebraska Administrative Code, Chapter 4 Wildlife Regulations Section 037 Mountain Lions

A harvest season...is recommended for the following reasons:

- 1) The population has been identified as a population that would be resilient to harvest.*
- 2) To provide harvest opportunities for this species in the state.*
- 3) Additional harvest is necessary to maintain the density within staff targets at levels landowners are willing to accept.*

(“Mountain Lion Recommendations June 2023” document sent to me by Sam Wilson, NGPC, 5.30.23)

NGPC’s [Mission](#) is “stewardship of the state’s fish, wildlife, park, and outdoor recreation resources in the best long-term interests of the people and those resources.” It is now clear that at least with respect to mountain lions (MLs), the only “people” who NGPC “stewards” on behalf of are some big game hunters and some landowners. How many big game hunters and landowners we do not know, since NGPC provides no actual evidence/data substantiating their claims about “tolerance for mountain lions,” etc. But considering that *all* hunters in Nebraska are less than 5% of NGPC’s constituency (= all the citizens of Nebraska), and the sparse population in the specific county areas proposed for sport hunting of MLs, we’re talking about a tiny minority of Nebraskans.

And yet this tiny minority is apparently the *only* group of Nebraskans NGPC feels obligated to seek input from in developing their policy recommendations. If, like me, you are part of the 95% of Nebraskans who aren’t big game hunters or local landowners, you get to pound sand. Frankly it’s hard to imagine any other state agency claiming legitimacy while serving only a privileged few and systematically ignoring the vast majority of its constituents.

This deliberate exclusion of most Nebraskans in developing ML policy makes a mockery of NGPC’s claim that “Balance” is one of its core [“Values.”](#) While it’s quite clear that the “needs and perspectives” of some big game hunters and landowners have been “earnestly consider[ed]” (as of course they should be), *what about the rest of us?* Or maybe the takeaway is that NGPC truly believes that when it comes to MLs, the only “people we serve” *are* big game hunters and some landowners in ML-populated areas?

But at least NGPC is abandoning the pretense that recreational hunting of MLs has anything to do with “following the science” etc. Rather, it is about “providing harvest opportunities” and getting the ML population to a level “landowners are willing are to accept.” No evidence (“scientific” or otherwise) has been offered to justify recreational hunting of MLs—only enough “science” to claim that certain populations would be “resilient to harvest.” [This science is also questionable/suspect—or at the very least lacks documentation/proof—as I others submitting comments will discuss]. From the perspective of the traditional wildlife manager that is apparently enough. The fact that a population *can* be recreationally hunted and not become threatened or endangered is enough evidence that it *should* be.

No doubt the privileged minority of some big game hunters and landowners would agree. But again, *what about the rest of the population of Nebraska?* Despite the frequently heard claim that wildlife management should not be done by “opinion poll” or “referendum,” isn’t that exactly what is going on here? Except that here, the “opinion poll” is a private one open to only a select few Nebraskans rather than all of us (and the results of which are held close to the vest and not released to the public by NGPC as a legitimate “referendum”/vote or credible public opinion poll would be).

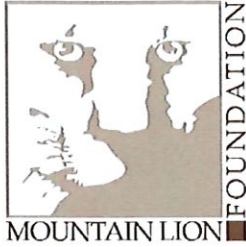
Likewise, the claim that wildlife management shouldn’t be based on “emotions” or “values”—a [common criticism](#) of people like me who oppose some types of recreational hunting. And yet isn’t that exactly what is going on here? Except that here, NGPC has simply used words like “accept,” “tolerate” and “support” to express the values/emotions of the big game hunters/landowners who support ML hunting. So in fact, emotions and values *are* the critical factor driving this ML policy, but it’s only the emotions and values of a privileged few that matter.

In terms of this public comments process, why would any Nebraskan (or any “interested person” outside Nebraska) who isn’t a big game hunter or doesn’t live in the Pine Ridge or Niobrara Valley believe this “comment”/hearing process is anything more than a facade? By its own statements in the “Mountain Lion Recommendations June 2023” document, agency staff have made clear that the views of the vast majority of Nebraska are irrelevant when it comes to ML policy. If the Commission approves this proposal justified by these statements, it will confirm that when it comes to ML policy, the vast majority of Nebraskans have opinions that can be ignored.

NGPC believes that Nebraska ML populations will be “resilient” to harvest. But the larger question is whether *NGPC itself* will be “resilient” (relevant) by continuing to cater to a select few rather than *all* Nebraskans it claims to “steward” on behalf of. Places like Washington [provide a glimpse](#) of how things can develop when the non-select/privileged decide they will no longer ride in the “back of the bus” when it comes to its state’s wildlife “management.”

/s/

Colin Croft



MOUNTAIN LION FOUNDATION

Saving America's Lion

The mission of the Mountain Lion Foundation is to ensure that America's lion survives and flourishes in the wild.

Tim McCoy, Director
Nebraska Game and Parks
2200 North 33rd Street
PO Box 30370
Lincoln, NE 68503

Nebraska Game and Parks Commission
Via: Sherry Henderson 2200 North 33rd
Street PO Box 30370
Lincoln, NE 68503

Submitted Via Email: sheri.henderson@nebraska.gov

RE: Comments on Proposed 2023 Nebraska Mountain Lion Hunting Season

June 6, 2023

Dear members of Nebraska Game and Parks Commission,

We write to you on behalf of the Mountain Lion Foundation's Nebraska members regarding the upcoming decision on *Chapter 4, Wildlife Regulations, Section 037 Mountain Lions*.¹ The proposed regulations would expand mountain lion hunting to the Niobrara. Because mountain lions improve ecosystem health and can enhance human safety and provide agricultural benefits by regulating deer populations, this new hunt could undermine Game and Parks' goals, as well as hindering the expansion of mountain lions into their historic eastern range, and disrupting metapopulation dynamics from populations in Wyoming and between Nebraska and the Dakotas, where mountain lions are also returning to their historic range, despite the long legacy of bounty hunting that extirpated the species in most of the eastern and midwestern US.

Nebraska Game and Parks have identified three major goals regarding the management and harvest of mountain lions in the Pine Ridge and Niobrara: "maintaining resilient, healthy, and socially acceptable mountain lion populations that are in balance with available habitat and other wildlife species over the long term," "to provide a harvest opportunity for mountain lions

¹ Nebraska administrative code: Chapter 4, Wildlife regulations, Section 037 Mountain Lions. 2021 Title 163. Nebraska Game and Parks Commission

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in Nebraska while halting growth or moderately reducing the population,” and maintain populations “at levels landowners are willing to accept.”² The recommendation to increase hunting is based on estimated populations that include cubs, which is at odds with best practices for mountain lion management as well as consensus science on this topic. Recommendations from state agencies with established populations should base quotas on adult and subadult populations, and aim to restrict hunting to 12-16% mortality of those mountain lions 18 months and older.³ The 2023 recommendations for Nebraska are based on a larger population estimate that includes cubs, where natural mortality is more common, and population estimation is less reliable. Initiating a new hunt based on that noisy dataset is unwise, especially in a small population where a single mortality may represent more than 5% of the adult population.

We do not believe a mountain lion hunt will support a resilient and healthy population, or provide a significant hunting opportunity. The goal of halting growth or moderately reducing the population through a hunt will likely detract from the other objectives, including the goal of increased social acceptance and avoiding livestock depredations. In past years, we have recommended halting the mountain lion hunt in the Pine Ridge until the population’s viability is not at risk from a hunt, and we ask that you postpone any expansion of that hunt this year, again pending further study of the viability of that population. This recommendation aligns with the current research regarding mountain lions and the Nebraska Game and Parks goals for the lion population in the Pine Ridge and Niobrara.

The Nebraskan Pine Ridge and Niobrara connect to Wyoming and South Dakota, both of which are states with more robust lion populations than that observed in Nebraska.^{4,5} These regions are a corridor for mountain lions, allowing for migration into and out of Nebraska. We commend that Nebraska is monitoring these neighboring populations that contribute to the Pine Ridge populations.² Most of Wyoming is managed as a sink with a goal of reducing the lion population.⁴ South Dakota has goals of maintaining the mountain lion population in the Badlands.⁵ Migration may help ensure that mountain lions remain present in the Niobrara, but not that the breeding population will remain viable especially at such a small size.⁶ We recommend conducting a population viability analysis (PVA) to determine the minimum viable population size (MVP) required for the mountain lion population to survive with a low

² Wilson, Sam. 2023. Mountain Lion Harvest and Research Update. Nebraska Game and Parks.

³ Beausoleil, R.A., Welfelt, L.S., Keren, I.N., Kertson, B.N., Maletzke, B.T. and Koehler, G.M. (2021), Long-Term Evaluation of Cougar Density and Application of Risk Analysis for Harvest Management. *Jour. Wild. Mgmt.*, 85: 462-473. <https://doi.org/10.1002/jwmg.22007>

⁴ Mountain lion management plan. 2006. Trophy Game Section (Management/Research Branch). Wyoming Game and Fish Department, Lander Wyoming.

⁵ South Dakota Department of Game, Fish and Parks. 2019. South Dakota Mountain Lion Management Plan, 2019-2029. Completion Report 2019-06. South Dakota Game, Fish and Parks, Pierre, South Dakota, USA.

⁶ Franklin, I. R. 1980. Evolutionary change in small populations. In *Conservation Biology: An Evolutionary–Ecological Perspective*. Soule, M. E. and Wilcox, B. A., eds, pp. 135–150, Sinauer Associates. Print.

extinction probability.⁷ This analysis may require data which may not be feasible for the Nebraska Game and Parks to gather at this time. In lieu of this analysis, we recommend utilizing the 50/500 rule until enough data becomes available for a PVA. The 50/500 rule states that for small populations, a minimum of 50 individuals is needed to prevent inbreeding, and 500 individuals is required to reduce harm from genetic drift.⁸

We strongly recommend that the department shift its management goal to allow for population growth for mountain lions in the Pine ridge to at least 50 individuals, and halt the hunting season to accomplish this as human caused mortality is currently the greatest known mortality for lions in the Pine Ridge.⁵ We encourage that the management goal of “maintaining resilient, healthy, and socially acceptable mountain lion populations that are in balance with available habitat and other wildlife species over the long term” be prioritized. Once this goal is achieved the second goal proposed “to provide a harvest opportunity for mountain lions in Nebraska while halting growth or moderately reducing the population” will not be in conflict with maintaining a healthy lion population.²

We also encourage the Commission to emphasize the value of coexistence and tools of non-lethal deterrence in managing community tolerance for mountain lions. While many states have cited landowner tolerance as a basis for increasing hunting quotas, there remains little evidence that this approach is effective at improving tolerance. Indeed, presenting mountain lions as a problem to be solved by lethal actions inherently reduces tolerance for the remaining lions. Livestock owners in mountain lion country have, since time immemorial, found that simple nonlethal deterrents are effective at preventing depredation. Rather than encouraging lethal responses, Game and Parks could present tools like livestock guardian dogs, proper fencing and pens, and motion-sensitive lights and loudspeakers, supporting landowners and giving them the tools to prevent unwanted carnivore interactions. This approach to carnivore coexistence empowers landowners and directly encourages tolerance of those species. The Mountain Lion Foundation has been pleased to collaborate with wildlife agencies in other states to support outreach on such tools, and to provide landowners with advice and resources to reduce wildlife conflict. We would be honored to work with the Commission and agency staff to develop similar tools for Nebraska’s wildlife and livestock owners.

Extensive research in states with established mountain lion populations shows that lethal responses to conflict, or using hunting as a tool to address conflict, can actually make conflict more likely. Killing mountain lions disrupts social systems and brings in younger, more risk-prone dispersing male lions, which are the source of most conflict with livestock or humans. Nonlethal deterrents train wildlife to avoid livestock and humans, and prevent future conflict. Nebraska

⁷ Robinson, S. K. and C. L. Vath. Minimum viable population. *Encyclopaedia Britannica*, Encyclopaedia Britannica, Inc., 09 December 2015, <https://www.britannica.com/science/minimum-viable-population>

⁸ Jamieson, I. G. and F. W. Allendorf. 2012. How does the 50/500 rule apply to MVPs? *Trends in Ecology and Evolution* 27(10): 579-584.

Game and Parks can best achieve it's goal of increasing tolerance by by increasing hunting, but by encouraging nonlethal deterrence tools.

By focusing on non-lethal wildlife deterrence to support landowner tolerance, and maintaining and studying the adult population in these areas where mountain lion ranges are expanding, the Game and Parks Commission can advance its goals for mountain lion management and mission of "stewardship of the state's fish, wildlife, park, and outdoor recreation resources in the best long-term interests of the people and those resources." Allowing mountain lion populations to continue expanding would benefit wildlife across the entire state, and enhance public safety. Mountain lions regulate deer populations, reducing traffic accidents and reducing agricultural damage from ungulates. In addition, healthy mountain lion populations protect sensitive forests and prairies which can otherwise be overgrazed by deer. Allowing mountain lion populations to expand in Nebraska would improve stewardship of wild lands and benefit wildlife and wildlife enthusiasts statewide.⁹ We encourage you to weigh these statewide benefits to Nebraskans and Nebraska wildlife as well as the concerns expressed by attendees at past hearings in Pine Ridge and the Niobrara.

Thank you for the consideration of our recommendations for *Chapter 4, Wildlife Regulations, Section 037 Mountain Lions*.¹ Please include these comments as a part of the official record regarding this decision.

Sincerely,

A handwritten signature in black ink, appearing to read "JR", with a long horizontal flourish extending to the right.

Josh Rosenau, ABD
Conservation Advocate, Region 1

(916) 442-2666
jrosenau@mountainlion.org

⁹ Beschta, R. L. and W. J. Ripple. 2012. The role of large predators in maintaining riparian plant communities and river morphology. *Geomorphology* 157-158: 88-98; Elbroch, L. M., C. O'Malley, M. Peziol, H. B. Quigley. 2017. Vertebrate diversity benefiting from carrion provided by pumas and other subordinate, apex felids. *Biological Conservation* 215: 123-131.

Henderson, Sheri

From: Helen McGinnis <hissyhelen38@gmail.com>
Sent: Wednesday, June 7, 2023 5:59 PM
To: Henderson, Sheri
Subject: Changes in Nebraska mountain lion regulations

Please include my opinion in the public hearing official record.

I am opposed to expansion of mountain lion hunting into the Niobrara Valley and Wildcat Hills populations. I hope lion populations will expand eastward into the Midwest and East because of the beneficial role they can play into restoring ecosystems and because allowing them to do so will right a moral wrong done when our citizens extirpated them.

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