

Colorado Parks and Wildlife Sued Over Planned Cougar and Bear Killing

State's Unscientific Killing Plans Violate Colorado's Constitution

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DENVER — WildEarth Guardians [sued](#) Colorado Parks and Wildlife Department (CPW) and the Colorado Parks and Wildlife Commission (Commission) this week over its plans to kill cougars and black bears in misguided attempts to boost mule deer populations. On December 14, 2016, the Commission approved both plans, despite thousands of citizens speaking out against them and letters from leading scientists and scholars raising grave concerns about the veracity and necessity of the plans.

“CPW’s plans are not grounded in sound science, violate Colorado’s Constitution, and are neither supported by the vast majority of Coloradans nor in the public interest,” said Stuart Wilcox, staff attorney for WildEarth Guardians. “The Parks and Wildlife Commission’s disdain for the public’s will and the opinions of dozens of our country’s leading scientists is hugely concerning.”

In 1992 Colorado voters passed, with a 70% majority, an initiative banning bear hunting every year from March 1 to September 1 to protect female bears with dependent young. In 1996, Colorado voters adopted a ballot initiative expanding the existing restrictions on trapping in Colorado, known as Amendment 14 to the Colorado Constitution. The Colorado legislature subsequently promulgated legislation implementing Amendment 14’s trap ban and CPW promulgated regulations doing the same.

CPW’s Piceance Basin Predator Management Plan intends to kill between 5-15 mountain lions and 10-25 bears per year for three years in a 500 square mile area west of Meeker and Rifle Colorado. CPW has no site-specific estimate of the mountain lion or bear populations in this area. CPW plans to employ the U.S. Department of Agriculture’s wildlife killing program, Wildlife Services, to use cage traps, culvert traps, foot snares, and trailing hounds to capture and then shoot mountain lions and bears as part of the Piceance Basin Plan. Wildlife Services is broadly criticized for its unethical treatment of wildlife, widespread waste of public funds, lack of transparency and woefully inadequate record keeping.

The Upper Arkansas River Predator Management Plan would primarily rely on increased hunting to kill a goal of 50% of the mountain lions in a 2,370 square mile area in south central Colorado

over an initial three-year period. During this three-year period, CPW plans to use hunters to kill approximately 10% of the local population in an adjacent 2,517 square mile area as well. In the three years following this initial stage, CPW plans to use hunters to kill 10% of the mountain lions in both areas. Then, in the final three years, CPW plans to use hunters to kill 50% of the mountain lions in the second area and 10% of the mountain lions in the first. Should hunters fail to kill enough mountain lions, CPW intends to hire Wildlife Services to trap and kill the remaining lions. CPW has no site-specific mountain lion population estimates for this area. The two plans will cost over \$4 million dollars in state and federal funds.

Despite the clearly expressed desire of Colorado citizens to ban trapping and the enactment of the constitutional amendment, laws, and regulations that were created to effectuate that intent, as well as receiving over 6,500 public comments opposing the plans, the Commission approved the plans at its December 14, 2016 meeting in Fort Collins. The Commission is a board appointed by the Governor that makes management decisions implicating Colorado's state parks and wildlife.

“We call on CPW to withdraw the plans, work with leading biologists to understand the existing science on the impacts of predation by carnivores to mule deer, and focus on addressing the main threats to mule deer populations including rampant fossil fuel development and habitat loss,” said Bethany Cotton, wildlife program director. “We also call on the Governor to appoint Commissioners who are committed to employing the best available science and who represent the vast majority of Coloradans who oppose cruel trapping and want the full compliment of native species, including bears and mountain lions, on the landscape.”

Despite apparent concern by hunters over mule deer population trends, mule deer populations in Colorado have been growing significantly in recent years. In 2013 there were an estimated 390,000 mule deer in Colorado. In 2014 the population had grown to 424,000, in 2015 it was 436,000, and CPW predicted the population would be around 440,000 at the end of 2016. At this average rate of increase, 16,667 mule deer per year, CPW would meet its population goal of 501,000-557,000 mule deer in 2020, without spending over \$4 million dollars to kill bears and mountain lions.

Additionally, in a 2015 study, CPW's own scientists said that mule deer populations in the Piceance Basin specifically had increased in three of the four surveyed locations over the last seven years (densities increased from 6.5-10.3 mule deer per kilometer) and had been stable in the fourth. This data also identified very few mountain lion predations in this area and did not identify a single instance of bear predation there.

CPW's current goals are based on mule deer inhabiting historical habitat. That habitat includes areas that have been removed and/or degraded by development. However, in setting population goals, CPW has failed to adequately consider the impacts of the loss of large amounts of historic habitat.