

# GAME, FISH, AND PARKS COMMISSION ACTION PROPOSAL

## Mountain Lion Hunting Season Chapter 41:06:61

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>July 20, 2023</b>	<b>Chamberlain</b>
	<b>Public Hearing</b>	<b>October 5, 2023</b>	<b>Deadwood</b>
	<b>Finalization</b>	<b>October 5-6, 2023</b>	<b>Deadwood</b>

### SEASON INFORMATION

**Duration of Proposal:** 2023/24 and 2024/25 hunting seasons

**Season Dates:** Black Hills Fire Protection District:

December 26, 2023 – April 30, 2024

December 26, 2024 – April 30, 2025

Outside Black Hills Fire Protection District:

December 26, 2023 - Dec. 25, 2024

December 26, 2024 – Dec.25, 2025

**Open unit:** Statewide

**Licenses:** Unlimited (1 license per individual), residents only

**Harvest Limit:** Black Hills Fire Protection District: 60 mountain lions or 40 female mountain lions (includes Custer State Park)

### **Requirements and Restrictions:**

1. No person may harvest more than one (1) mountain lion in a season.
2. No person may hunt mountain lions with the aid of traps or bait.
3. Shooting hours are ½ hour before sunrise to ½ hour after sunset.
4. No mountain lion with a spotted coat (kitten) and no mountain lion accompanying another mountain lion may be harvested.
5. A person may use an electronic call to hunt mountain lions.
6. All firearms, muzzleloaders, and archery equipment must meet the same minimum requirements as established in administrative rule for deer hunting.
7. The Game, Fish and Parks Commission, by resolution, may authorize the mountain lion season to extend beyond April 30.
8. The use of dogs to hunt mountain lions is only allowed in the Black Hills Fire Protection District, during those specified hunting intervals in Custer State Park that allow for the use of dogs, and year-round outside of the Black Hills Fire Protection District on private land with permission of the landowner or lessee. However, pursuit of a mountain lion by dogs that originates on private land may cross over or culminate on private land, with permission from the landowner or lessee, or on public land, unless expressly prohibited by the managing entity.
9. In Custer State Park, a person using dogs shall attempt to harvest the first legal mountain lion they have a reasonable opportunity to harvest, except under the condition where the lion pursued shows obvious signs of lactation.
10. Licensed hunters must accompany the dog handler when the dogs are released and must continuously participate in the hunt thereafter until the hunt is completed.

11. Custer State Park is closed to mountain lion hunting except for 75 mountain lion licensees who possess a valid mountain lion license and a temporary access permit structured to include:
  - (a) Four hunting intervals each having 15 access permits in which hunting with dogs is not allowed.
  - (b) Five hunting intervals each having three access permits in which hunting with dogs is allowed.
  - (c) Hunting in Custer State Park shall begin with an interval that allows the use of dogs and rotate every 14 days with an interval that does not allow the use of dogs until the lion season closes in the Black Hills Fire Protection District. The temporary access permits are issued free-of-cost and may be issued by a random drawing.
12. All mountain lions harvested within the Black Hills must be presented to a department representative at the Rapid City Regional Office or Custer State Park Headquarters within 24 hours of harvest for inspection. Any person who harvests a mountain lion outside of the Black Hills region must present the mountain lion to a department representative within 24 hours of harvest.

## COMMISSION PROPOSAL

**Proposed changes from last year:** Allow the use of dogs to harvest six female mountain lions and six male mountain lions (i.e., a total of 12 mountain lions) in the Black Hills Fire Protection District, in addition to the 15 access permits that allow the use of dogs in Custer State Park.

## SUPPORTIVE INFORMATION

Using research and monitoring data collected in South Dakota, the mountain lion population was expected to decrease to 274 by December of 2023, if 25 females were harvested in each of the previous two hunting seasons. This information was presented during the July 2021 SDGFP Commission meeting.

Twenty-five females were harvested in the Black Hills in 2021/22 (42 total harvest) and 28 females were harvested in 2022/23 (44 total harvest). The population estimate in December of 2022 was 275 (Figure 1) and is currently projected to be just under 250 this December (Figure 2).

If the four-year average of 26 females is harvested next year, the population is expected to decrease to just over 200 by December of 2024. If the expected harvest of 6 females with the use of dogs results in 32 females harvested, the population is expected to be very close to 200 by December of 2024. Alternatively, if the harvest limit is achieved and 40 females are harvested next year, the population is expected to decrease to under 200 mountain lions, and below the population objective minimum of 200. Because mountain lion hunting season recommendations are provided every two years, the aforementioned population decreases are expected to occur at the same rate for a second year, through the beginning of the 2025/26 hunting season (Figure 2).

Over the past four hunting seasons in the Black Hills, 18% of mountain lions were harvested with the use of dogs (34 of 185), and among active hunters, success rates with the use of dogs averaged 63% in Custer State Park, compared to a success rate of 3.5% when dogs were not used in the rest of the Black Hills. Over the past four years, more than 1,150 hunters have pursued mountain lions in the Black Hills each year.

Figure 1. Lincoln-Peterson mark-recapture population estimates for mountain lions in the Black Hills from 2009/2010 to 2022/2023 (blue line with 95% confidence intervals). The gray shaded region indicates the Black Hills mountain lion population objective.

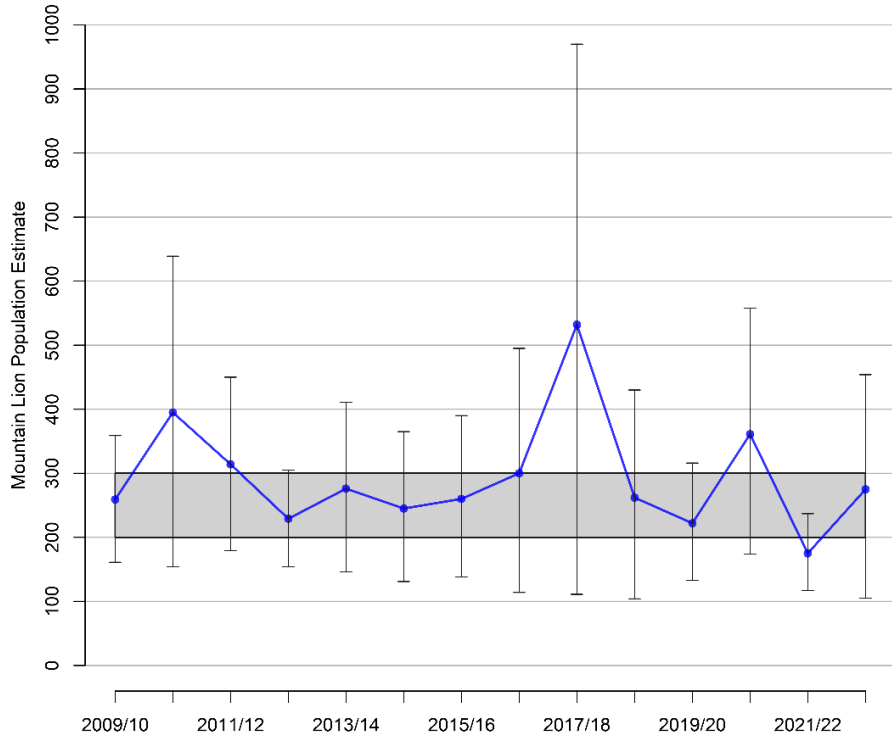
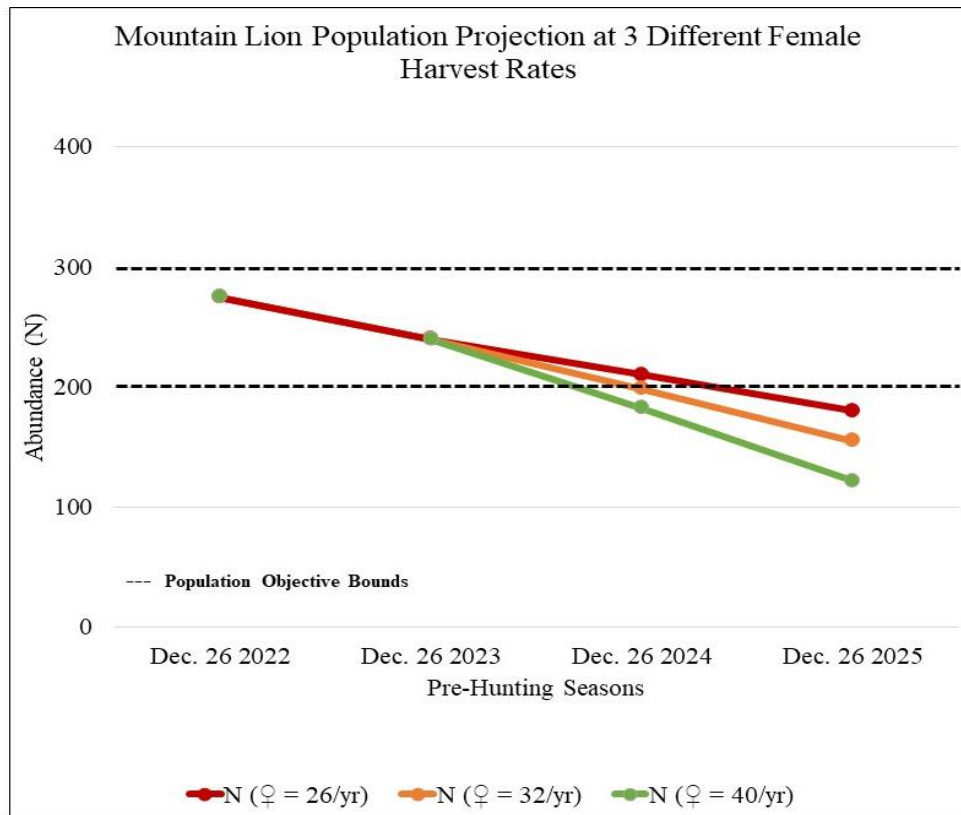


Figure 2. Projected Black Hills pre-hunting season population estimate based on harvest of 26 (red line), 32 (orange line) or 40 (green line) female mountain lions in the 2024 and 2025 hunting seasons. The Black Hills population objective is the area between the dashed black lines. Note, these projections are approximations from an estimated starting population of 275 and do not include confidence intervals that account for expected uncertainty and variation.



**41:06:61:02. Black Hills Fire Protection District -- Harvest limit -- Season dates -- Season closure.** The season harvest limit for the area within the Black Hills Fire Protection District is 60 mountain lions or 40 female mountain lions. Of the 60 total harvest limit for mountain lions, six male mountain lions and six female mountain lions can be harvested with the use of dogs outside of Custer State Park. The mountain lion hunting season in the Black Hills Fire Protection District is open December 26 through April 30, provided that the department shall close the mountain lion hunting season in the Black Hills Fire Protection District if the harvest limit for that area is reached prior to April 30. Custer State Park is closed to mountain lion hunting, except for 75 persons who possess a mountain lion license and a temporary access permit structured to include:

- (1) Four hunting intervals, each having 15 access permits in which hunting with dogs is not allowed; and
- (2) Five hunting intervals, each having three access permits in which hunting with dogs is allowed.

Hunting in Custer State Park must begin with an interval that allows the use of dogs and must rotate every 14 days with an interval that does not allow the use of dogs, until the mountain lion season closes in the Black Hills Fire Protection District. The temporary access permits are issued free of charge and may be issued by a random drawing.

**41:06:61:06. Application requirements -- License and season restrictions -- Special conditions -- Carcass check-in procedures.** The following requirements, restrictions, special conditions, and procedures apply to all applications for license and to all licenses issued under this chapter:

- (1) Only residents of the state may apply for a license;
- (2) No person may harvest more than one mountain lion in a season;
- (3) No person may harvest or attempt to harvest a mountain lion with a spotted coat or any mountain lion accompanying another mountain lion;
- (4) No person may hunt mountain lions with the aid of traps or bait;
- (5) The use of dogs to hunt mountain lions is allowed only: in the Black Hills Fire Protection District; during those specified hunting intervals in Custer State Park that allow the use of dogs; and year-round outside of the Black Hills Fire Protection District when on private land, with permission of the landowner or lessee. However, a pursuit of a mountain lion by dogs that originates on private land may cross over or culminate on private land, with permission from the landowner or lessee, or on public land, unless expressly prohibited by the managing entity;
- (6) No person may release dogs on tracks indicating multiple mountain lions traveling together;
- (7) ~~In Custer State Park,~~ a person using dogs shall attempt to harvest the first legal mountain lion the person has a reasonable opportunity to harvest, except under the condition in which the lion pursued shows obvious signs of lactation;
- (8) Licensed hunters must accompany the dog handler when the dogs are released and must continuously participate in the hunt until the hunt is completed;
- (9) A person may use any firearm, muzzleloader, or bow and arrow established by statute or administrative rule as legal implements for the taking of deer;
- (10) Wind Cave National Park, Jewel Cave National Park, and Mount Rushmore National Memorial are closed to mountain lion hunting; and
- (11) All mountain lions harvested must be presented to a department representative within 24 hours of harvest for inspection.

**RESIDENT/NONRESIDENT CRITERIA**

1. The Issue – NA
2. Historical Considerations – NA
3. Biological Considerations – NA
4. Social Considerations – NA
5. Financial considerations – NA

**RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA**

1. Does the regulation or fee inhibit a user's ability to participate? NA
2. Does the regulation increase the opportunity for new and existing users? The regulation will increase mountain lion hunting opportunity with the use of dogs in the Black Hills Fire Protection District.
3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? If mountain lion harvest with the use of dogs increases female harvest in the Black Hills, population modeling indicates the resulting population will decline, which could result in a population below the management objective of the mountain lion action plan and decrease future hunting opportunity.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? While the regulation may initially increase opportunity for hunting mountain lions with dogs, if overall harvest increases, the mountain lion population is predicted to decrease, and future hunting opportunity will likely be reduced.

**FISCAL IMPACT**

Not applicable.

**APPROVE** \_\_\_\_ **MODIFY** \_\_\_\_ **REJECT** \_\_\_\_ **NO ACTION** \_\_\_\_