

August 2, 2011

To: NV Wildlife Commission, CABS

Regarding: letter from Donald Molde dated August 2, 2011

Dear Commissioners and CAB members,

I feel compelled to respond to the letter by Don Molde regarding the trapping season proposed by the Nevada trappers association.

My letter will be in two parts, in the first part I will share some history regarding bobcat management in the United States and Nevada for the past 35 years or so.

The second part will be the rationale behind the Nevada Trappers Association's recommendation for this years bobcat and grey fox season.

Let me start with the "bobcat wars" of the late 1970's through a fair part of the 1980's.

In about 1973 the federal government involved themselves in the bobcat issue by way of the Convention on international trade in endangered species of wild fauna and flora. This convention is widely referred to by the acronym of "CITIES".

By virtue of its membership in the cat family, the bobcat is included in Appendix II of CITES as a species "which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation."

CITES deals solely with international trade in the listed species. Neither CITES nor the Endangered Species Act, which implemented CITES,³ deals with the actual killing of bobcats. Primary responsibility for the protection, management, and regulation of killing of bobcats in this country rests with the states. Although CITES requires "no detriment" findings from each nation as a whole, the Fish and Wildlife Service summarizes data collected by the states, and issues its findings on a state by state basis.

In 1979, Defenders of Wildlife brought suit challenging the federal findings of "no detriment" for thirty-five states and the Navajo Nation for the 1979-80 season, and the guidelines under which those findings were made. Those guidelines, which were based on the recommendations of a Working Group composed of scientists and wildlife managers, measure detriment primarily by population trend data. This court held those guidelines invalid on the ground that they failed to consider total bobcat population in each state or the number to be killed in a particular season in

each state, and required the Scientific Authority to await the development of that additional data before authorizing the export of bobcats. 659 F.2d at 178.

So the issue of states being able to determine a population number was of major concern for several years.

On October 13, 1982, the Endangered Species Act Amendments of 1982, Pub.L. No. 97-403, were signed into law. Section 5(1) of those amendments ("the amendment") added paragraph c(2) to Section 8A of the Endangered Species Act of 1973, 16 U.S.C. 1537a (1982):

The Secretary^s shall base the determinations and advice given by him under Article IV of the Convention [*i.e.*, CITES] with respect to wildlife upon the best available biological information derived from professionally accepted wildlife management practices; **but is not required to make, or require any state to make, estimates of population size in making such determinations or giving such advice.** (emphasis added).

In addition, Congress provided that this paragraph was effective from January 1, 1981.

So through an act of Congress which amended the Endangered Species Act, the need for states to make an estimate of population size was stricken since 1981.

This is an important point to consider in response to Don Molde's letter where he is critical of NDOW for not making the effort to establish census data.

It's important to understand that the topic of "limits" were cussed and discussed in those days and, as I remember it, states were given an option of placing per person harvest limits as an alternative to population estimates. If memory serves only four states tried using limits to satisfy CITES.

As you can see, the concerns that Don brings up in his letter have been hashed and rehashed for approximately 35 years now. I know that every time we get a new Commission he brings the same arguments to the table. I assume the idea is that someday a new Commission will buy into all or part of it.

Nevada has the best bobcat data in the world in my opinion, with approximately 35 years of consistent data gathering. This data includes analysis of the lower jaw (mandible) of each bobcat harvested in the state. In addition, NDOW receives harvest reports from trappers on an annual basis (similar to big game questionnaires), with the added information of the number of traps used by each

trapper, how long the traps were in the field, the number of animals taken, the number of “trap nights” necessary to harvest bobcats, etc. From this extensive data gathering effort, we have learned a lot in that period of time concerning response to prey base fluctuations, harvest levels, seasons etc.

Let me rebut some specific points that he makes in his letter.

1-The juvenile recruitment rate North vs. South. The data in the North is some of the best we’ve ever seen, just because the South recruitment data is lower doesn’t mean that things are bad in the South. Nice try though.

2-“Reform is needed because bobcats are killed for money and not sport”? What difference does that make? How do you quantify “sport”? Would his mind change regarding bobcats if we killed them for “sport”? I don’t think I need to say anymore.

3-Eastern region data is below the decade average? Easy to explain, snow, snow, and more snow. Most guys hang it up when you have a winter like we had last year. Nothing biological about that number at all. Simply limited access. Indeed, the limited access allowed with early snows is one of the reasons we have requested the season begin in November so that trappers in these heavy snow areas have the ability to access bobcat habitat before heavy snows arrive.

4-As far as season length, all I can say is we’ve had tremendous success with season length as a management tool for three and a half decades now. Correlation coefficients? Again nice try to baffle a new Commission with BS I’d say.

5-Limits on number of bobcats harvested and sparing females and juveniles? To implement either of these ideas would change the consistency in the way we gather data and would create a bias in the picture we get on the overall population status. Even if you could accomplish the female juvenile idea it would just justify an even longer season which I doubt is Dr. Molde’s objective.

6-Census data? I’ve covered that earlier in the CITIES information.

7-Limits and quotas rather than season length? If you were to put a per trapper limit out there, undoubtedly you would bias the data due to high grading of the more valuable male segment. This would not only put an end to the flow of information that we have but again would end up justifying a longer season due to a higher male/female ratio. Once again probably not what Dr. Molde would like to have happen.

8-His conclusion that a shorter season should be continued in Southern Nevada is grasping at a straw in hopes of getting something.

In conclusion to this portion of my letter, I would just say this about Dr. Molde's letter. In my mind it's an attempt to make a run at a new Commission in hopes that he can create some confusion and maybe get somewhere with that tact. This is a terrible year to try and make that happen because we are looking at excellent biological data regarding bobcats.

Which brings me to part two of my letter, the Nevada Trappers Association Recommendation for this year's Bobcat and Grey Fox season.

Our recommendation was made in June at our Board of Directors meeting. This was prior to NDOW's recommendation but after we had time to review the data for this past season.

This recommendation is simply to return to the 120+- season that we enjoyed for the decade prior to the past two seasons.

Four seasons ago we had a drought that affected the prey base and juvenile recruitment of bobcat enough that we decided to shorten the season for a couple of years to see how things went as far as the rebound in the prey base and increase in juvenile bobcats. Contrary to Dr. Molde's derogatory accusation that trappers only want to lengthen the season, the trappers of Nevada supported NDOW's suggestion that the season be curtailed during two years of disappointing biological data. Now, with the return of strong biological data, we simply ask to return to the status quo.

I'm happy to say that the data for the past two years has been very favorable on both counts, actually some of the better data that I've seen in over 30 years. Without going into the numbers I'll just say this, we've had 120 day seasons for years with data that wasn't as favorable as what we have experienced in the past couple of years.

We don't believe that there is really any biological reason not to return to where we were prior to two years ago.

Anybody that spends any time in the outdoors is aware of the effect of the past winter's precipitation increase and the subsequent increase in small game mammals and game birds. Obviously it varies from area to area but there are anecdotal reports from the outback of record rabbit numbers in places as well as other species like quail and chukar.

I'm getting tired of typing so I'll cut this short. Please consider our recommendation of November 1, to the last day of February for bobcat and grey fox.

I'll be in Fallon, but feel free to email me with any questions or concerns at lobonevada@gmail.com.

Thanks for your time,

A handwritten signature in blue ink that reads "Joel Blakeslee". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Joel Blakeslee

President Nevada Trappers Association