Exhibit D

Supplemental
Public Correspondence Received as of
September 12, 2025

From: Rep Breese-Iverson <Rep.VikkiBreeseIverson@oregonlegislature.gov>
Sent: Friday, September 12, 2025 10:00 AM
To: ODFW Commission * ODFW <ODFW.COMMISSION@odfw.oregon.gov>
Subject: 2026 Big Game Seasons and Regulations

Commissioners,

I write to express significant concerns regarding ODF&W's proposed 2026 Big Game Seasons and Regulations, particularly the 9% reduction in mule deer tags.

My community understands reduced mule deer populations are a reality. However, they are frustrated by the increased restriction of hunting tags and have a general concern over the consolidation of hunting units.

The primary focus of ODF&W's management approach appears to be on a reduced number of hunting tags. In conversations with members of the ODF&W's team, and in a recent Bend Bulletin article, it seems this initial focus is considered the "more conservative" start to the management plan. However, there is considerable concern across my district about the lack of a full management plan which includes management of other factors putting pressure on the decreasing numbers of mule deer.

My constituents want to see a solution which ensures a healthy mule deer population and part of such a solution must include an analysis, consideration and plan for the increasing numbers of wildlife predators. A comprehensive plan with all factors included would be a much more balanced approach for a real solution to the mule deer population.

Simply reducing hunting tags while ignoring predation impacts and habitat challenges will not achieve recovery goals and create more distrust and discontent with Oregonians and Oregon agencies.

Hunting drives rural Oregon's economy and funds wildlife management through license and tag revenue. The proposed reductions will reduce ODF&W revenue, harm rural businesses and eliminate traditional family hunting opportunities and culture.

I urge the Commission to amend the proposed new regulations and come back to Oregonians with a comprehensive plan for mule deer population management that addresses all root causes of population decline rather than relying solely on hunting restrictions.

Our hunters deserve to see active predator management and habitat improvement implemented alongside any considered tag reductions.

Respectfully,

Vikki Breese Iverson
State Representative
Oregon House District 59

From: Story Warren <swarren@humaneworld.org>
Sent: Thursday, September 11, 2025 4:04 PM
To: ODFW Commission * ODFW <odfw.commission@odfw.oregon.gov>
Subject: 2026 Black Bear and Cougar Regulations

Dear Commissioners,

On behalf of eight conservation and wildlife protection organizations, please find attached comments regarding the 2026 black bear and cougar regulations (Exhibit D, 2026 Big Game Seasons and Regulations).

Thank you very much,

Story Warren
Program Manager, Wildlife Protection
Pronouns: she/her

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Humane World for Animals™

September 11, 2025

Mary Wahl, Chair
Oregon Fish and Wildlife Commission
4034 Fairview Industrial Drive SE
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Dr. Debbie Colbert, Director
Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
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Re: 2026 "Big Game Regulations" for black bears (*Ursus americanus*)

Dear Chairwoman Wahl, Director Colbert and Members of the Commission:

On behalf of our Oregon members and constituents, the undersigned organizations thank the Oregon Department of Fish and Wildlife (ODFW) for the opportunity to comment on its 2026 Big Game Regulations (hereinafter "Regulations") concerning black bear management. We are deeply alarmed by the black bear mortality trend in Oregon, and respectfully request that you reject the proposal to 103 spring bear tags in the 731A South Central and 754A Mt. Emily – Walla Walla hunts. Instead, we urge the commission to consider ending the practice of springtime hunting of black bears altogether.

As further detailed in our comments, spring black bear hunting is exceedingly cruel and not "fair chase" hunting. It is particularly harmful to nursing cubs who inevitably die when hunters kill their mothers. With Washington's recent end to spring bear hunting, Oregon is now one of just seven states to allow this archaic practice.

1. **Reject the proposed increase in spring bear tags, and end the spring bear hunting season going forward.**

During spring hunting, mother bears with nursing cubs are invariably killed, leaving orphaned cubs to die from dehydration, starvation, or predation. Oregon currently does not collect the necessary data to determine how many cubs are orphaned during the spring bear hunt. Hunters are not required to present the reproductive tract of killed bears, and the 10-day window of checking in a bear means that any reproductive tracts presented may have lost evidence of lactation. Oregon's spring bear hunt occurs when bears are malnourished after winter and suffer from lower body weight and fitness, meaning they are less capable of escaping a hunter. Spring hunts target starving bears who have not eaten after spending months in the den. During Oregon's 2024 spring bear hunt alone, hunters killed a record 920 bears.[i] Spring bear hunting should be ended, not expanded, in Oregon. **At the very least, ODFW should require that hunters present the reproductive tract of killed female bears at check-in, and should reduce the 10-day check-in window to 3 days or less so that data can be compiled regarding the reproductive status of female bears killed in the spring.**

2. **The Commission should reexamine instituting 48-hour mandatory trap check times for game mammals such as black bears who suffer in traps for indefinite periods.**

The U.S. Department of Agriculture-Wildlife Services (USDA-WS) kills hundreds of bears for "damage," including timber damage, property or livestock losses, or human safety reasons, each year in Oregon. In 2022, USDA-WS killed 112 Oregon bears who were caught in foot/leg snares, 46 in culvert traps, 11 in cage traps, and 1 in a foothold trap.[ii]

While furbearers and unprotected mammals in Oregon have a required trap check time of 48 hours, black bears are classified as game mammals; game mammals in Oregon currently have no required trap check times – meaning they can suffer in traps for days, weeks, or even longer and subjected to

heat, dehydration, injury, and psychological distress until an agent arrives to kill them.[iii] While a 24-hour trap check requirement would be even more ideal, instituting a 48-hour mandatory trap check time would still greatly reduce the amount of unneeded suffering inflicted on black bears and other animals.

As detailed in the supplemental information provided below, black bears need and deserve reasoned protections from unreasonable springtime trophy hunting and prolonged suffering from trapping in Oregon. Black bears hold immense social, intrinsic, and ecological value. If trophy hunting black bears is to continue, at the very least ODFW must use the best available science to manage black bears, preventing their overexploitation and prohibiting spring bear hunting and implementing trap-check times for bears. Thank you for your consideration.

Sincerely,

Story Warren
Program Manager, Wildlife Protection
Humane World for Animals

Wally Sykes
Co-Founder
Northeast Oregon Ecosystems

Mathieu Federspiel
Bitterbrush Broads and Bros
Great Old Broads for Wilderness

Lindsey Hutchison
Staff Attorney
Willamette Riverkeeper

Michelle Lute, PhD
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Brooks Fahy
Executive Director
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Joe Liebezeit
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Supplemental Information

1. **Hunting does not reduce human-bear conflicts, and spring bear hunting can worsen conflicts.**

ODFW states in its outdated 2012 Black Bear Management Plan that its objectives are to “maintain healthy and optimum bear populations” while simultaneously “providing optimum recreational benefits,” to “consider objectives related to other wildlife species,” and “work to reduce” human-bear conflicts that cause the agency to remove bears—either through killing or relocation.[iv]

In the past 15 years, there has been an alarming upward trend in the number of bears killed every year. The current liberal offtake of bears benefits only bear hunters and does not reduce conflicts.[v] ODFW must emphasize humane, well-tested non-lethal techniques necessary to live with bears.[vi]

Hunting bears neither addresses human-bear conflicts nor makes people safer,[vii] as hunters are not killing the bears in people’s backyards. In fact, hunts can exacerbate conflicts. Recent findings demonstrate that spring bear hunting specifically is entirely counterproductive to reducing conflicts. Northrup et al. (2023) found that food availability was the primary driver of conflict, rather than the number of bears killed; in fact, while a new spring bear season resulted in a “significant” increase in

harvest, “there was no concomitant reduction in interactions or incidents and, in fact, these [interactions or incidents] were higher in areas with the new spring season relative to control areas.”[viii] Others have found similar results. Khorozyan and Waltert (2020) write:

> We conducted a meta-analysis of 77 cases from 48 publications and used the relative risk of damage to compare the effectiveness of non-invasive interventions, invasive management (translocations) and lethal control (shooting) against bears. We show that the most effective interventions are electric fences (95% confidence interval = 79.2–100% reduction in damage), calving control (100%) and livestock replacement (99.8%), but the latter two approaches were applied in only one case each and need more testing. Deterrents varied widely in their effectiveness (13.7–79.5%) and we recommend applying these during the peak periods of damage infliction. We found shooting (− 34.2 to 100%) to have a short-term positive effect with its effectiveness decreasing significantly and linearly over time. We did not find relationships between bear density and intervention effectiveness, possibly due to differences in spatial scales at which they were measured (large scales for densities and local fine scales for effectiveness).[ix]

Obbard et al. (2014) write: “We found no significant correlations between [black bear] harvest and subsequent HBC [human-bear conflicts]. Although it may be intuitive to assume that harvesting more bears should reduce HBC, empirical support for this assumption is lacking despite considerable research .”[x] Obbard et al. (2014) cite six studies in addition to their own findings (Garshelis 1989, Treves and Karanth 2003, Huygens et al. 2004, Tavss 2005, Treves 2009, Howe et al. 2010, Treves et al. 2010). Since Obbard et al. (2014) published, many other scientists (cited in the footnote here) have also confirmed that trophy hunting bears does not reduce conflicts with humans, but it can harm bear populations.[xi]

2. **ODFW must end springtime bear hunts – they are cruel and should be abandoned.**

Spring hunts target malnourished, starving bears who have not eaten after surviving winter for months in the den. In 2024, a record 920 bears were killed in the spring bear hunt.[xii] Nearly one-third of the bears killed in 2024’s spring bear season were females. ODFW’s Regulations did not reveal how many were nursing mothers or adult females with yearling cubs. Oregon bear hunters have 10 days between when they kill a bear and when they must check in the bear at on ODFW office, and hunters are only required to provide the skull. Bear hunters are *requested,* but not required, to present the reproductive tract of a female bear they have killed.[xiii] Even if a hunter voluntarily provides the reproductive tract of a killed female bear, it could be extremely difficult to discern whether the bear was lactating after days have passed since her death. In the absence of this information, neither the Commission nor the public, respectively, can make an informed decision or comment, and are left guessing as to the magnitude of cub orphaning each year. **If the Commission decides to continue the spring bear hunt, at the very least, ODFW should require that hunters present the reproductive tract of a female bear killed in the spring within 3 days or less of killing the bear so that ODFW can compile the data necessary to quantify cub orphaning.**

Most of the 920 bears killed, 70%, were males.[xiv] But killing only males fails to protect females and their offspring because of sexually selected infanticide (SSI). SSI occurs when non-sire male bears kill another male’s offspring to increase their chances at mating with the cub’s mother and increasing their own reproductive success. SSI predictably exacerbates the effects of hunting that selectively targets adult males. Removal of dominant males who successfully bred predictably increases SSI.[xv] Because SSI is likely to increase as a consequence of hunting, it both limits population growth and increases juvenile mortality.[xvi] Breeding females trying to deter SSI compound these problematic

dynamics by becoming more aggressive and by restricting their foraging behaviors to avoid males, with resulting effects on reproductive success.[xvii]

Additionally, the presence and disturbance of tens of thousands of hunters (and their vehicles) in the woods in springtime is harmful and distressful to all wildlife, even to ungulate species, and especially to winter-starved bears.[xviii]
Springtime bear trophy hunting is plagued with problems and is not a benign way to conserve Oregon's wildlife.

a. Springtime hunts orphan cubs

ODFW currently does not collect the data necessary to quantify cub orphaning. Despite agencies' best intentions, hunters kill nursing mothers, which orphans cubs, leaving them to suffer from starvation, predation, or exposure.[xix] In studies cited by Hristienko and McDonald (2007), who researched the effects of spring hunting on bears, only 40% of orphaned cubs survived until hibernation—which means that the other 60% died.[xx] Mother bears provision for and protect their cubs until they are 16 to 17 months old,[xxi] or even longer if they have not had sufficient food. Family break-up typically occurs between May and July after the cubs' second winter, when females begin to come into estrus.[xxii] Black bear mothers are extremely perceptive, intelligent, caring and infinitely patient with their cubs.

Springtime bear hunting occurs when cubs are just a few months old and still nursing, or when yearling cubs are living as part of a family group that consists of their siblings and mother.[xxiii] Black bear cubs are usually born between December and February, and generally emerge after hibernation with their mothers between April and May, depending upon latitude and food availability.[xxiv] Cubs are weaned approximately seven months after their birth, usually between July and September.[xxv]

Some researchers assert that mothers with cubs of the year can be spared from a spring hunt, because nursing mothers are the last demographic of the black bear population to emerge in springtime, after all the other sex and age classes of bears.[xxvi] But Colorado Division of Wildlife bear researcher Tom Beck (now retired), along with a cohort of five other Western states wildlife managers, has warned that even as most studies indicate males emerge from dens earlier than females, that time differential is nominal.[xxvii] Beck et al. (1995) write:

> Data from Colorado clearly demonstrate that most bears are killed in the last two weeks of the spring season, regardless of the ending date . . . The [spring bear hunt] regulation looks good on paper but is very difficult to implement in the field because of bear behavior.[xxviii]

Miller et al. (2017) found no distinction between time of den emergence among cohorts of bears (lone females, females with cubs of the year, females with yearlings and yearling cubs).[xxix] In other words, the spring bear hunt seasons do not protect nursing females. The assertion that a spring season will close early enough to protect nursing females is confounded by other researchers' data and the fact that Planet Earth is warming and den emergence has shifted:

- Johnson et al. (2018) found that black bears birthing cubs entered the den earlier and exited later *as did older age bears*, while females with yearling cubs exited earlier to maximize foraging opportunities.[xxx]
- A 2017 study in Utah found that black bears at the same elevations had different den departure dates because the land was more productive in one area, and females were in better body condition.[xxxi]

- Bears in northern New Mexico entered and left their dens at different times, depending on their sex. But this was not the case for bears in the southern region, whose denning chronology was the same for both sexes.[xxxii]

Beck et al. (1995) write: "There is no way to prevent this [the killing of nursing females] from happening in a spring season, either through hunter education or timing of [the] season."[xxxiii] They add that this is because females forage "at great distances from their cubs."[xxxiv] Even when states prohibit the take of nursing females, hunters still kill them unintentionally.[xxxv]

Hunters have difficulty determining the sex of bears.[xxxvi] Even the most knowledgeable and experienced hunters are not always patient while shooting bears.[xxxvii] Bear researchers themselves have difficulties sexing bears, even at short distances.[xxxviii] Selectivity is less important to some hunters than successfully shooting a bear, regardless of the bear's sex or age.[xxxix]

ODFW itself warns hunters of the risk of accidentally shooting nursing mother bears. Hunters who don't have incredible patience can shoot a mother bear before cubs are known, and even cautious hunters trying in good faith not to kill sows with cubs can mistakenly shoot a lactating sow, as cubs can be hidden for significant amounts of time – up to an *hour* – while the sow feeds. In the ODFW blog, "9 tips to be a better bear hunter," ODFW biologist Sam Dodenhoff writes:

> It's easier the first two weeks or so of the season when most of the bears out and about will be boars. After that, if you're not sure you can tell a boar from a sow make sure you watch the bear long enough to feel confident there aren't any cubs in the area. Cubs are pretty active and will make their presence known eventually…Watch bears feeding near timberline even longer (up to an hour), as any cubs could be well-hidden among the trees.[xl]

For all of these reasons, bear cubs cannot be protected by ODFW's May 31 spring bear season closure. The matter is complicated even more by the climate crisis, which is substantially shifting the known periods when bears hibernate and emerge from their dens.[xli] Arguably, a spring bear hunt puts ethical hunters in the unfair position of having a significant chance of accidentally making an unethical kill, orphaning the young of their kill and sentencing cubs to a painful death by starvation. No hunting season should carry such a high risk of orphaning dependent young.

b. Springtime bear hunting is unethical and damages the environment

Spring hunts also occur when bears are physically stressed from months of fasting and literally in a state of starvation, and are especially vulnerable to "harassment" by hunters when in this "declining physical condition."[xlii] Bears experience "significant physiological stress" during the spring because the available food supply is neither sufficient for them to maintain body weight, nor for replacing the loss of nutrients following months of hibernation.[xliii] For the first week or two after emerging from the den, bears are lethargic, their metabolism is slow and they are in "a kind of walking hibernation."[xliv]

Because of this, and because bears are lethargic for the first few weeks after they emerge from the den, they make easy targets for hunters.[xlv] Spring bear hunters experienced an astonishing 16% success rate on average in Oregon from 2020 to 2022, compared to a 7.4% success rate for fall bear hunters. This demonstrates the significant difference in fairness between hunters and bears, with an unsporting advantage for hunters and against bears pursued in the spring.[xlvi] A springtime hunt subjects bears to the unnecessary and unfair stress of being chased and killed while they are in poor physical shape—a practice that would be unthinkable for other big game species such as ungulates.[xlvii]

Killing nursing bears gives a black eye to hunters and hunting itself.[xlviii] The springtime bear hunt calls into question the concept of "fair chase," which hunters often profess to be the cornerstone of hunting ethics.[xlix] Bear hunters' presence also stress other species of wildlife who are also in poor physical shape after months of scarce food after winter.[l]

Allowing spring hunts of bears to prevent timber damage is also unethical. The timber industry, rather than planting even-age stands of trees so they can be cheaply clear-cut later, should plant trees of mixed ages so that young saplings are not so vulnerable.[li] By planting even-age stands, the timber industry essentially baits bears and then expects the state and federal government to permit the cruel practice of trophy hunting and predator control to kill black bears, an indigenous, ecologically essential species.

Finally, spring hunts may also damage roads, cause siltation in streams, and harm vulnerable ungulate and other wildlife populations.[lii] Having thousands of hunters in Oregon's forests during springtime is a terrible idea for all these reasons. They disturb and disrupt vulnerable wildlife of all species and damage ecosystems. We request that ODFW and the Commission end the practice of spring-bear hunting.

c. The proposed expansion of spring bear hunting in 2026 is unsound and unethical

We urge the Commission to reject the proposed tag increase in the South Central and Mt. Emily – Walla Walla hunt units. Simply providing more recreational opportunities is not a sound, science-based reason to kill more bears during a biologically vulnerable time of year.

d. Timber damage from bears is overestimated and preventable

Bears use commercial tree stands in early spring because they prefer young, fast-growing trees that the timber industry creates with its thinning and fertilizing processes. The amount of damage to commercial tree stands, however, is grossly overestimated because of tree root diseases that the industry blames on bears. To compensate for bear damage, biologists suggest thinning fewer trees to compensate for expected losses, or to wait until trees are older and larger before tree-thinning operations begin.

According to Kline et al. (2018), bears peel bark from conifers in early spring to obtain "up to 3.5% soluble sugars in the phloem of trees" after a period of dormancy, and when mast crops (e.g., berries and nuts) are unavailable.[liii] Kline et al. (2018) provide that the timber industry's practice of thinning trees and fertilizing them contributes to concentrations of sugar in trees' vascular tissues, making them even more attractive to hungry black bears.[liv] Bears prefer fast growing, young trees.[lv]

The commercial timber industry thins out stands of trees to induce the remaining trees to grow much faster.[lvi] The industry also reduces species diversity by selecting for certain types of trees, grows even-age stands of trees and selects for the best trees—the very trees that bears prefer.[lvii]

In other words, these industry-created tree stands are the exact opposite of old growth forests that feature species diversity. Dagley et al. (2018) suggest that bears facilitate old-growth forest restoration.[lviii] Bear "damage" on trees leads to larger "basal cavities" that "are common in old-growth redwood trees (Dagley & Berrill 2012)."[lix] Also because of so-called "bear damage," trees die faster becoming snags, the home to many cavity-dwelling species, and those snags later become woody debris, characteristic of old-growth forests.[lx] In a study of northern California forests, Dagley et al. (2018) found that bears damaged about one-fourth of all the trees in plots *where thinning occurred*, but bears damaged only about 8% of trees on the unthinned control plots.[lxi] Remarkably*, only about 5% of the bear-damaged redwoods died.*[lxii] Bears damaged far fewer Douglas-fir trees, in a range

between 13% and 16%, and in the unthinned Douglas-fir stands, bears damaged only about 1% of trees.[lxiii]

The lack of tree damage is backed up by another study. Taylor et al (2019) also found that damage to trees is grossly overestimated—*by up to 10-fold*, because the timber industry wrongly attributes tree deaths from root diseases to bears. Taylor et al. (2019) write:

> Our results suggest that aerial estimates of black bear damage do not detect trees that are damaged but not killed, while numbers of trees killed by black bears are overestimated due to the influence of multiple root diseases. . . .Our findings suggest that previous estimates of bear peeling may overestimate economic loss by as much as 10-fold at large scales.[lxiv]

To reduce tree damage by bears, Dagley et al. (2018) suggest that land managers thin fewer trees to compensate for expected losses, or to wait until trees are older and larger before tree-thinning operations begin.[lxv]

An indiscriminate, recreational spring bear hunt is not a solution to timber damage; instead, modifications to timber industry practices can minimize currently over-estimated damage from bears.

3. **The Commission should reexamine instituting 48-hour mandatory trap check times for game mammals such as black bears.**

We appreciate the efforts of ODFW staff and commissioners to work toward implementing restrictions on the trapping of game mammals. However, this was presented to the Commission and staff a year ago, and we hope that these urgent reforms are implemented as soon as possible given the following context.

Several members of the Oregon Wildlife Coalition had the opportunity to participate alongside other stakeholders in the Trap Check Work Group convened by the Oregon Fish and Wildlife Commission in 2020. A product of the work group was the standardization of a mandatory 48-hour trap check time for restraining traps used on unprotected mammals and predatory animals, consistent with furbearer trap check times.

We still believe a 24-hour trap check time for all animals in all traps is most humane and is the standard adopted by most U.S. states. However, we fully acknowledge and appreciate the significant steps taken by the Commission in 2022 to require a 48-hour trap check time for “predatory animals” and unprotected mammals. Still, a glaring omission remains: There is still no required trap check time for “game mammals” such as black bears and cougars. As a result, these iconic species can suffer in traps or snares for days, weeks, or even longer, subject to heat, cold, dehydration, injury, and psychological distress until an agent arrives to kill them.[lxvi]

To close this gap, we urge the Commission to consider a 48-hour trap check time for restraining traps and foot/leg and neck snares used on game mammals on both public and private property as part of Division 043 rulemaking.

While a 48-hour trap check time for game mammals would not affect recreational trappers, it would provide requirements for any persons operating under ORS 498.012 relating to taking wildlife causing damage, including U.S. Department of Agriculture-Wildlife Services agents, agency staff, private landowners and their agents. This requirement would establish common-sense protections and set a basic humane standard for Oregon’s valued game mammals, creating consistency across trapped species and a safeguard for nontarget wildlife and pets.

With hundreds of black bears trapped for damage each year in Oregon, the lack of a required trap check time for bears and other game mammals is simply unacceptable in modern wildlife management. A mandatory 48-hour trap check time will not eliminate the suffering from traps and snares,[lxvii] but it will greatly reduce the amount of time that an animal is in pain and distress.

All trappers, including those employed by USDA Wildlife Services, should be held to a consistent standard and be required to check traps and snares every 48-hours or fewer, in order to reduce suffering and to align with both professional wildlife handling standards and the public's animal welfare values.[lxviii]

a. State regulations are a necessary backstop to trapping operations carried out by USDA Wildlife Services and others.

Wildlife Services, as well as landowners and their agents, utilize traps and snares to kill hundreds of bears in Oregon for damage, including timber damage, property or livestock losses, or human safety reasons. In 2023, USDA Wildlife Services killed 96 Oregon bears who were caught in foot/leg snares, 18 in culvert traps, and 5 in cage traps, as well as 28 cougars who were caught in leghold traps and 8 caught in neck snares.[lxix] In 2022, Wildlife Services killed 112 Oregon bears who were caught in foot/leg snares, 46 in culvert traps, 11 in cage traps, and 1 in a leghold trap, as well as 21 cougars who were caught in leghold traps and 12 caught in neck snares.[lxx]

Wildlife Services' Directive 2.450 states that "[t]he use of all traps, snares (cable device), and other animal capture devices by WS employees *will comply with applicable federal, state, and local laws and regulations*
related to animal capture for managing wildlife damage" [emphasis added].[lxxi] In that directive and in other documents, Wildlife Services lauds the Association of Fish and Wildlife Agencies' (AFWA) Best Management Practices (BMPs) for trapping as "guidelines as a basis for policy formation."[lxxii] It is crucial to note, however, that AFWA does not provide any BMPs for the trapping or snaring of black bears or cougars. Given the lack of any framework for those species, it is especially critical that ODFW put regulations in place in order to – at a minimum – establish a mandatory trap check time for those species.

A 48-hour trap check requirement would greatly increase accountability ***and*** reduce the amount of unneeded suffering inflicted on black bears and other game animals. Even if Wildlife Services already intends to check their traps/snares within 48-hours, there is little public transparency regarding their daily operations.

A mandated trap check time for game mammals is important to ensure that regulations are consistent with the trap check times for furbearers and unprotected mammals, streamlining enforcement and setting forth a minimum welfare of all trapped animals.

b. The longer an animal is left in any type of trap or snare, the more time that animal will spend struggling, in distress, and becoming more severely injured.

Trapping black bears is fraught with injuries and suffering; bears caught in foot snares can endure swelling, fractures, muscle and joint injuries, and dehydration; bears desperate to escape can also chew off their own limbs.[lxxiii] Culvert traps can subject bears to overheating as well as dental and jaw injuries.[lxxiv]

Beausoleil et al. (2022) writes that traps can produce "negative or unpleasant mental experiences" on trapped animals including "thirst, hunger, pain, breathlessness and fear" which causes the animal to react in order to "try to alleviate or rectify the underlying problem," and these experiences are "detrimental to an animal's current state of welfare" or even survival.[lxxv] These "unpleasant

experiences" that an animal is unable to rectify either "through behavioral and physiological responses," such as thirst or fear, harm an animal's welfare far more than an experience in which an animal can control what is happening.[lxxvi] Confirming earlier studies, Beausoleil et al. (2022) found that restraining traps that are intended to only hold, rather than kill, an animal can cause death if these traps go unchecked, leaving an animal to die from dehydration or exposure, which is not a quick or humane death, according to the American Veterinary Medical Association (2020).[lxxvii]

Snares, also known as cable restraints, do not discriminate among species. Even foot/leghold snares can cut into an animal's skin and can become deeply embedded, causing lacerations and tissue damage, and result in pain, injury, and even death. Bears caught in foot snares can endure swelling, fractures, muscle and joint injuries, and dehydration; bears desperate to escape can also chew off their own limbs.[lxxviii] Black bears caught in leghold snares show significant elevations in the blood serum levels that indicate muscle injury and exertional (capture) myopathy.[lxxix] Animals captured in snares are known to frantically chew on the cable and on their own limbs in an attempt to free themselves, breaking teeth, bloodying gums, and causing self-injury. Snared animals sustain joint dislocation, severed tendons, and other internal injuries as they fight against the snare, or may be hanged to death if they jump over a fence or branch in an attempt to escape. Target and non-target animals alike caught in snares that are not monitored may die from exposure, dehydration, or starvation, particularly if snares go unchecked.[lxxx] In field studies, snares have caught non-target wildlife, including deer, and domestic dogs.[lxxxi] Snares also trap protected wildlife, like golden eagles and bald eagles.[lxxxii]

Leghold traps can leave animals with injuries that may not be visible without a necropsy as they continuously struggle against the trap, as well as dental injuries, lacerations, and fractures.[**lxxxiii**] In 2023 alone, WS in Oregon recorded 9 nontarget species in leghold traps, including three bird species.[lxxxiv]

Neck snares that are designed to be lethal often do not kill the ensnared animal quickly, instead subjecting them to a drawn out and painful death, underlining experts' recommendations that neck snares be checked at least every 24 hours to end the suffering of an ensnared animal.[lxxxv] Wildlife Services' 2019 risk assessment of cable devices (including both neck and foot/leg snares) repeatedly emphasizes that snares are checked frequently *as required by state law*; they also write, "Snares and cable restraints could be used in a variety of habitats; thus, many species of wildlife could be exposed to cable devices used by WS. *As the amount of time between capture and checking the device increases, the risk of injuries also likely increases*" [emphasis added].[lxxxvi]

Culvert traps can subject bears to fatal overheating as well as dental and jaw injuries.[lxxxvii] Animals captured in **cage traps** can also suffer damage or fractures to their teeth, gums and claws. Those injuries, especially to the teeth and gums, can be extremely painful.[lxxxviii]

A 48-hour trap check time decreases the time that the animal suffers and increases the likelihood that nontarget animals can be released with minimal injuries or rehabilitated prior to release.

Beausoleil et al. (2022) warn that, "…mammal welfare is necessary to support ethical wildlife management practice and policy and to retain social acceptance of management programs that involve trapping."[lxxxix] Trap check times therefore need to be standardized for all government and non-government trapping operations alike.

We support the use of remote trap checking systems that alert the trapper when a trap has been triggered, provided that trappers are required to attend to the trap within a short, specified window of time. The remote trap checking system must actively self-check and report status closed (triggered), open (not triggered), out of contact/not responding (triggered). Not responding or out of contact would count as triggered or closed and need to be checked. It must report both "out of contact" and

the state of trigger "open/not open" (or similar) in real-time. In short, the device must have fail-safes in place to prevent reporting a caught animal as not caught or "open/not triggered." When these devices are utilized to monitor trapping efforts in lieu of trap-check site visits, they can create better welfare outcomes as animals are not left to suffer for as long a period while trapped –but can only do so if the trapper is required to attend to the trapped animal within a prompt, specified timeframe after being notified. A 48-hour trap check time required in conjunction with trap trigger devices would be optimal to regularly have eyes on the trap and to have enforcement consistency across traps and species.

For these reasons, we urge the Commission to initiate rulemaking under **Division 043 (*Other Regulations: Miscellaneous Permits and Records*) to institute a 48-hour mandatory trap check time for all trapping and snaring of game mammals on both public and private property under ORS 498.012.**

4. ODFW's statutory duties require preventing serious depletion of indigenous species.

Oregon law requires that ODFW and the Commission use sound science to manage Oregon's wildlife for all Oregonians—including non-consumptive users—present and future. O.R.S 496.012. ODFW's statutory mandates include "mak[ing] decisions that affect wildlife resources…for the benefit of the wildlife resources," considering the "utilization of wildlife resources by *all* user groups," and "prevent[ing] serious depletion of any indigenous species." *Id.*

In keeping with these obligations, ODFW regulations recognize that "the black bear [is] an important part of Oregon's fauna, valued by many Oregonians" and commit ODFW to "conduct[ing] a management program that maintains healthy populations of black bear" while respecting "the desires of the public and the statutory obligations of the department." Or. Admin. R. 635-170-0005. ODFW's stated regulatory objectives are "maintain[ing] healthy and optimum bear populations," "develop[ing], refin[ing], and evaluat[ing] population abundance estimation through modeling techniques," and "improv[ing] basic understanding of black bear management…through applied research." Or. Admin. R. 635-170-0000.

In conclusion, we ask that the Commission **reject** the proposed spring bear hunting tag increases as proposed in the 2026 Big Game Regulations, and end spring bear hunting altogether as it is unsporting, inhumane, unnecessary and ineffective in reducing conflicts. At the very least, we ask that the Commission direct ODFW to collect the data necessary to quantify the risk of cub orphaning. We also ask that public education and nonlethal mitigation of conflicts be a continued priority, and that mandatory 48-hour trap check times be instituted for game mammals including black bears.

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September 11, 2025

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Re: 2026 "Big Game Regulations" for cougars (*Puma concolor*)

Dear Chairwoman Wahl, Director Colbert and Members of the Commission,

On behalf of our Oregon members and constituents, the undersigned organizations submit the following comments regarding the Oregon Department of Fish and Wildlife's ("ODFW") cougar (*Puma concolor*) trophy-hunting[1] quotas for the 2026 hunting season. ODFW permits a year-round, cougar-hunting season that results in high levels of adult mortality, risking either the orphaning of cougar kittens or their deaths from infanticidal, incoming males. These kitten deaths are never counted in the total mortalities. Oregon's cougar-hunting quotas are inconsistent with science-based conservation, ethical treatment of wildlife, and the humane values of Oregonians. At a minimum, if trophy hunting of cougars continues, and in the absence of empirical Oregon cougar population data, we request that the Oregon Fish and Wildlife Commission institute a shortened season rather than a year-round one to limit total cougar mortality in order to protect their populations for future generations and to reduce negative human or livestock interactions with cougars.

ODFW's statutory mandates include "mak[ing] decisions that affect wildlife resources…for the benefit of the wildlife resources," considering the "utilization of wildlife resources by *all* user groups," and "prevent[ing] serious depletion of any indigenous species." *Id.* In keeping with these obligations, ODFW's 2017 Cougar Management Plan commits to "manag[ing] the state's cougar population at a level well above that required for long term sustainability."

We oppose the trophy hunting of cougars. However, if ODFW is to continue allowing this practice in Oregon, we request that it make the following changes:

1) **Protect dependent kittens by shortening the hunting season.** Oregon's year-round cougar hunting season means that trophy hunters inevitably kill adult cougars, resulting in the death of their dependent kittens either through orphaning or sexually selected infanticide (see discussion below). ODFW can greatly reduce these deaths by shortening the season to avoid peak birthing and denning season, specifically in the summer and fall months.[2] A season that starts in December and ends in March avoids this peak birth pulse and is in line with cougar-management regimes across western states.

2) **In order to minimize conflicts, update the agency's cougar population model using the best available science and limit the hunting quota to no more than 14% of the adult and subadult population.** ODFW's cougar population model uses outdated, faulty and disproven methods, including relying on dead cougars as proxy for the living population.[3] We are concerned that the current model significantly overestimates Oregon's cougar population, which ODFW is then relying on to set hunting quotas that are far too high to ensure the species' stability. No other state, including California, which prohibits trophy hunting of cougars and has significantly more suitable habitat for the species, claims such a high population estimate. Overhunting of cougars is likely destabilizing cougar social structures, leading to increased conflicts.

3) **Consider the ecological, social and intrinsic value of cougars in their management.** Cougars have immense value in their own right, as well as for Oregon's other wildlife. These animals are highly sentient, spend extended periods of time raising their young, and are vital to Oregon's beloved wild spaces. Trophy hunting of cougars is not only harmful to individual cougars but to their entire community. Research continues to show us that indiscriminate trophy hunting and predator control of cougars is not only ineffective for boosting prey species in the long term but may actually exacerbate the decline of rare species as well as increase conflicts with humans, pets and livestock.

Cougars are rare native carnivores who deserve reasoned and scientifically accurate management. ODFW's current management of cougars is not in line with the best available, current science nor the will of the majority of Oregon voters. Therefore, we ask the Oregon Fish and Wildlife Commission to reject the proposed 2024 cougar trophy hunting regulations and, instead, adopt our recommendations above, which are further explained in the supplemental information below. Thank you for your consideration.

Sincerely,

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Supplemental information

1) ODFW must protect breeding female cougars and their dependent kittens by shortening the hunting season.

ODFW's current cougar management is extremely harmful to female cougars and dependent kittens. The agency can better protect these most vulnerable individuals by shortening the hunting season and limiting female mortality.

a. Shorten the hunting season from December 1 to March 31.

We recommend ODFW limit the cougar-hunting season to December through March to reduce the unnecessary and avoidable killing of mother cougars and their dependent kittens. Research shows that delaying hunting season until December 1 would avoid the critical denning period for 91% of

female cougars and their kittens. It also avoids the peak birthing season pulse for cougars that occurs from approximately June through October in North America.[4]

In heavily hunted populations, female cougars experience higher levels of intraspecific aggression (fights with other cats) resulting in predation on themselves and their kittens.[5] Over-hunting harms a population's ability to recruit new members if too many adult females are removed.[6] A Utah study shows that trophy hunting adult females orphans their kittens, leaving them to die by dehydration, malnutrition, and/or exposure.[7] Kittens are reliant upon their mothers beyond 12 months of age.[8]

Kittens are most vulnerable during their early months of life and wholly reliant on their mothers for survival. Yet their mothers are vulnerable to trophy hunting when they venture off to find food for their families. Female cougars will leave their newborn kittens in the den until they are older and ready to learn valuable hunting skills from their mothers. Thus, female cougars with young kittens may be spotted alone and then killed by a hunter, increasing indirect and unmeasured mortality. Shortening the hunting season to avoid the peak birthing and denning seasons would reduce kitten orphaning and the subsequent death of these vulnerable animals from starvation, predation, or exposure to the elements.[9]

Trophy hunting harms entire cougar communities. A Wyoming study shows that cougars are quite social animals and live in "communities," with females sharing kills with other females, their kittens and even with the territorial males. In return for these meals, the adult males protect the females and their kittens from incoming, competing males.[10] Disrupting these communities leads to deadly intraspecific strife, including infanticide on the kittens, and social chaos within the family groups.[11]

Only one of the states that border Oregon – Nevada – allows a 365-day hunting season of cougars.[12] Idaho, Washington, and California do not hunt cougars year-round, nor do Montana or Wyoming. Most units in Idaho allow a 7-month season, from August 30 to March 31;[13] Washington allows a season from September 1 to March 31 statewide.[14] Montana likewise holds a 7-month cougar hunting season, as does Wyoming in most units.[15] California does not allow any hunting of cougars. Among its peers in the Northwest, Oregon is alone in allowing a year-round cougar hunting season statewide.

At their September 8, 2023 meeting, the Washington Fish and Wildlife Commission heard a petition to expand the Washington's cougar-hunting season to a year-round season.[16] Game Division Manager Anis Aoude of the Washington Department of Fish and Wildlife recommended that the Commission deny the petition. The WDFW staff presentation to the Commission read in part:

> "We currently provide ample opportunity to hunt cougar. Hunting cougars year-round is unlikely to change the harvest significantly as the units that remain open do not lend themselves to successful cougar harvest opportunity in general and spring and summer conditions are not conducive to cougar harvest success….
>
> Although cougars can have young any time of the year, there is a birth pulse in the spring likely related to abundant ungulate numbers. Even though it is illegal to kill spotted kittens, or an adult cougar accompanied by spotted kittens, cougar young are not mobile for the first few weeks of life and usually do not travel with the female during that period. Thus, hunting cougars during that period could increase the likelihood of orphaning their young….
>
> Department staff recommend denying this petition as it is not necessary and may have undesired consequences."[17]

2) In order to reduce conflicts, ODFW must conduct a thorough population study and limit the quota to no more than 14% of the adult/subadult population.

Oregon's trophy hunting of cougars is very likely destabilizing the cougar population and leading to increased conflicts with humans and livestock.[18] Hunting disrupts cougars' sex-age structure and tilts a population to one that is composed of younger males, who are more likely to engage in livestock depredations or negative encounters with humans than animals in a stable, older population.[19] A Washington state study shows that as cougar complaints increased, wildlife officials lengthened seasons and increased quotas to respond to what they believed was a growing cougar population. However, the public's perception of an increasing population and greater number of livestock losses was actually the result of a declining female and increasing male population.[20] Heavy hunting of mountain lions skewed the ratio of young males in the population by causing compensatory immigration and emigration, even though it resulted in no net change in the population.[21]

Study authors found that the trophy hunting of cougars to reduce complaints and livestock losses had the opposite effect. Killing cougars disrupts their social structure and increases both complaints and livestock losses.[22] Peebles et al. (2013) write:

> . . . each additional cougar on the landscape increased the odds of a complaint of livestock depredation by about 5%. However, contrary to expectations, each additional cougar killed on the landscape increased the odds by about 50%, or an order of magnitude higher. By far, hunting of cougars had the greatest effects, but not as expected. Very heavy hunting (100% removal of resident adults in 1 year) increased the odds of complaints and depredations in year 2 by 150% to 340%.[23]

Similarly, a study published recently shows the very same result – lethal removal of cougars is associated with increased conflicts, especially on small hoofstock including sheep and goats.[24] Dellinger et al. (2021) state:

> Removals can thus create a negative-feedback loop that leads to increasing conflict and lethal removal, which could begin to negatively impact the mountain lion population via reduced gene flow and population viability (Hiller et al. 2015, Vickers et al. 2015, Benson et al. 2019). Thus, maintaining an older age structure by reducing lethal removal of resident adults could mitigate depredations (Logan 2019).[25]

Studies from Washington[26] and California[27] show that indiscriminate killing of cougars to reduce complaints and livestock losses can have the opposite effect. Instead of removal, non-lethal husbandry techniques may resolve conflicts.[28] **In Benton County, Oregon, the Benton County Animal and Wildlife Protection Program (AWPP) has found considerable success in helping livestock owners to prevent and reduce conflict in the county.**[29] On September 9, 2025, they were featured in "Oregon On The Record" on KLCC along with prominent cougar researchers.[30]

Rather than allowing cougar trophy hunting, ODFW must make a concerted effort to utilize non-lethal methods (described below) when rare conflicts occur, prioritizing these tools above lethal removal of cougars. The current reliance on lethal removal of cougars that enter a human community is cruel, unsustainable, and not in line with best management practices for cougar conservation.[31] A recent Utah study found that cougars selected for native prey even within urban-wildland interface habitat, with only 2% of 540 prey animals consisting of domestic animals.[32] Techniques such as hazing are viable options that prevent unnecessary killing.

Furthermore, ODFW must work with livestock owners to ensure they are adequately and appropriately employing nonlethal predator deterrence techniques. Installing predator-proof

enclosures, using livestock guardian animals, or utilizing frightening devices are all effective strategies to prevent conflicts with cougars and other carnivores. Other livestock husbandry practices are also essential at reducing conflicts with carnivores. Livestock operators should:

- Practice sanitary livestock carcass removal to avoid scavenging and habituation.
- Keep livestock, especially in maternity pastures, away from areas where wild cats have access to ambush cover.[33]
- Keep livestock, especially the most vulnerable—young animals, mothers during birthing seasons and hobby-farm animals—behind barriers such as electric fencing and/or in barns or pens, or kennels with a top.[34] The type of enclosure needs to be specific to the native carnivore to prevent climbing, digging or jumping.[35]
- Move calves from pastures with chronic predation problems and replace them with older, less vulnerable animals.[36]
- Concentrate calving season (i.e., via artificial insemination) to synchronize births with wild ungulate birth periods.[37]
- In large landscapes, use human herders, range riders and/or guard animals.[38] Guard dogs work better when sheep and lambs are contained in a fenced enclosure rather than on open range lands where they can wander unrestrained.[39]
- Suspended human clothing, LED flashing lights (sold as "Foxlights") and radio alarm boxes set off to make alarm sounds/noises near pastures are some of the low-cost sound and/or visual equipment that deters wild cats.[40]
- Studded leather collars can be very effective at protecting cattle from big cats.[41]

Additionally, we are concerned that ODFW's cougar population is likely overestimated. ODFW states that more than 7,000 cougars reside in Oregon. This estimate is far higher than any other state estimate, including California, which has more habitat for them and *prohibit*s cougar trophy hunting. Oregon's method of counting cougars is from anecdotal, not empirical data. Sightings by hunters or others is not a reliable method for deriving a cougar population.[42]

We urge ODFW to conduct alternative population modeling in order to verify cougar density estimates. ODFW has noted that their adult cougar population estimate is similar to an estimate made in the Humane Society of the United States' State of the Mountain Lion Report (2017).[43] However, like ODFW's population model, that report was not peer-reviewed, and significant advances in sound cougar population estimation techniques have been made since 2017.[44] **Please rely upon Murphy et al.'s acclaimed 2022 journal article titled, "Review of puma density estimates reveals sources of bias and variation, and the need for standardization."**

If ODFW is to continue using the current population model, the agency must rely only on the adult cougar population estimate to set quotas that are more in line with sustainable cougar management. ODFW's current cougar estimate includes kittens who have extremely low survival rates and are not legally trophy hunted. ODFW's Cougar Management Plan states that, in fact, the adult cougar population estimate is approximately 3,300 cats. In other words, the statewide cougar quota of 970 cats amounts to nearly 30% of the purported statewide adult cougar population. This quota is extremely high and not in line with the best available science on cougar management. The best available science across multiple studies suggests a hunting mortality quota of no more than 14% of the adult/subadult population to avoid overkill of cougars.[45]

In their range-wide assessment of cougar densities, Murphy et al. (2022) found that most spatial population models overestimated cougar densities by an average of 63%.[46] Kill

("harvest") levels are not a valid means to index a live population and tell nothing about the demographics or trajectory of a population—particularly the fates of adult females, the most important demographic of a (cougar) population.[47] This methodology has no public accountability associated with it and is not based in sound science.

Basic principles of population biology specify that the population dynamics are driven by per capita rates of mortality (the proportion of a population that dies per unit of time), not the number of individuals killed.[48] These basic principles also signify that a *declining number* of kills can correspond to devastating *increases in the rate of mortality*, when abundance is declining. This concern is compounded by a closely related principle of population biology known as "catch per unit effort" (CPUE). Briefly, when a population declines greatly, the effort required to maintain the same number of kills increases greatly.[49]

Murphy et al. (2022) write:

> …the lack of rigorous, model-based density estimates for many jurisdictions where pumas are legally hunted … indicates considerable uncertainty exists about the sustainability, effectiveness, and potential consequences of puma management....Perhaps of equal concern is our finding that most model-based puma density estimates had poor precision (only 9 estimates [10%] had CV ≤ 0.20), which reduces confidence in the appropriateness of puma conservation and management policies that were founded on or informed by those density estimates.[50]

Murphy et al. (2022) in their review article found that, "at least 71% of the model-based puma density estimates reported in the literature are likely positively biased, primarily because of issues associated with study designs, survey methods, and nonspatial modeling approaches."[51] They recommend that wildlife managers standardize density estimates to better inform cougar conservation, including using models that exclude dependent kittens.[52]

To better estimate cougar population, Murphy et al. (2022) recommend the following 6 steps:

1. Prior to establishing a study design and implementing sampling, simulation should be used to evaluate the effects of a range of detector or site spacings, detector configurations, survey effort, and study area sizes, relative to plausible puma home range sizes and a range of detection rates for the study area, on density estimate accuracy and precision (e.g., Clark, 2019; Efford and Boulanger, 2019; Murphy et al., 2019; Paterson et al., 2019; Humm and Clark, 2021).

2. Study areas should be multiple times larger than male puma home range size to mitigate positive bias in density estimates. Given the very large home range sizes reported for male pumas (>1000 km2 [Karelus et al., 2021]), density estimation areas ≥ 5000 km2 may be necessary for many populations in many locales, and areas ≥ 10,000 km2 might be preferable (e.g., Murphy et al., 2019; Humm and Clark, 2021; Suryawanshi et al., 2021).

3. Density estimation studies are needed in multiple Level I Ecoregions that represent important parts of puma range but remain devoid of such estimates, including but not limited to: North American Deserts, Mediterranean California, Temperate Sierras, and Southern Semi-Arid Highlands in North America; and North Andes, Central Andes, South Andes, and Amazonian-Orinocan Lowlands in South America (CEC, 1997; Griffith et al., 1998).

4. Density estimation studies are needed in multiple locales where pumas are subjected to hunting or other types of lethal management to allow evaluation of the potential impacts of these human activities on puma populations. This is particularly applicable to the USA and Canada, where derived or extrapolated puma densities, many of which lack corresponding measures of uncertainty, constitute the primary metrics used by governments to prescribe hunting quotas/limits and justify other management actions (Smallwood, 1997; Quigley and Hornocker, 2010; Apker, 2017).

5. Additional studies are urgently needed to compare puma density estimates from camera-trapping and genetic-based sampling methods in the same study areas to further evaluate the accuracy and reliability of estimates produced by each method (e.g., Ruprecht et al., 2021). Results from such studies conducted across extant puma range could allow researchers and managers to make optimally informed decisions when choosing among sampling methods for puma density estimation studies.

6. Additional research should be conducted to evaluate whether puma density estimates produced by any of the infrequently used alternative approaches, such as the home range-mortality, time-to-event, space-to-event, random encounter, and unmarked spatial count methods (Beausoleil et al., 2021; Loonam et al., 2021), might be compatible with density estimates produced by the spatially explicit capture-recapture and mark-resight methods. However, we note that recent reviews and both empirical- and simulation-based studies have found that many of these alternative approaches may produce unreliable density estimates for wide-ranging large carnivores that inhabit landscapes at low densities, including pumas (Augustine et al., 2019; Gilbert et al., 2021; Ruprecht et al., 2021; Morin et al., 2022).[53]

In sum, Oregon extrapolates cougar density based on outdated models that rely on anecdotal data (e.g., sightings) and mistakenly includes kittens in its population estimates —and thus the combination of hunting limits, predator-control operations, vehicle collisions and other forms of legal mortality are set too high. We respectfully request that ODFW engage in long-term population monitoring and reduce “harvest limits” accordingly.

Trophy hunting is the greatest source of cougar mortality in Oregon.[54] At a minimum, ODFW must adopt rational, sound science, and establish a reliable population estimate for cougars in the state. The agency must use this estimate as a baseline to prevent trophy hunting quotas from exceeding levels that impact the stability of cougar social structures. Such action will support the sustainability of Oregon’s cougar population, as well as minimize conflicts with humans and livestock and maintain the stability of the extended social structures and territoriality of cougars, if trophy hunting of the species is to continue in our state.

3) Consider the ecological, social, and intrinsic value of cougars in their management.

Trophy hunting is also the greatest source of mortality for cougars throughout the majority of their range across the western and midwestern United States, including in Oregon.[55] The practice is harmful to more than just the wild cats who are killed because it results in sexually selected infanticide that creates lots of uncounted mortality.

Conservation biologists have derided this practice as unnecessary and wasteful. Batavia et al. (2018) write: Compelling evidence shows that the animals hunted as trophies have sophisticated

levels of “intelligence, emotion and sociality” that are “profoundly disrupted” by trophy hunting.[56] ODFW must consider the very real impacts of trophy hunting on cougars, along with the value these animals hold intrinsically and for our human and wildlife communities:

A. *Trophy hunting is unsustainable and cruel:* Large-bodied carnivores are sparsely populated across vast areas, invest in few offspring, provide extended parental care to their young, have a tendency towards infanticide by unrelated males, females limit reproduction, and social stability promotes their resiliency.[57] Human persecution affects their social structure,[58] and harms their persistence.[59]

   Super-additive mortality. Research shows that trophy hunting results in *additive mortality*—trophy hunters increase the total mortality to levels that far exceed what would occur in nature.[60] In fact, the effect of human persecution is “super additive,” meaning that hunter kill rates on large carnivores have a multiplier effect on the ultimate increase in total mortality over what would occur in nature due to breeder loss, social disruption and its indirect effects including increased infanticide and decreased recruitment of their young.[61]

   Sexually selected infanticide. When trophy hunters remove the stable adult cougars from a population, it encourages subadult males to immigrate, leading to greater aggression between cats and mortalities to adult females and subsequent infanticide.[62]

B. *Trophy hunting is particularly harmful to kittens and their mothers:* In heavily hunted populations, female cougars experience higher levels of intraspecific aggression (fights with other cats) resulting in predation on themselves and their kittens.[63] Over-hunting harms a population’s ability to recruit new members if too many adult females are removed.[64] A Utah study shows that trophy hunting adult females orphans their kittens, leaving them to die by dehydration, malnutrition, and/or exposure.[65] Kittens are reliant upon their mothers beyond 12 months of age, and likely up to 17 months.[66]

C. *Trophy hunting harms entire cougar communities:* A Wyoming study shows that cougars are quite social and live in “communities,” with females sharing kills with other females, their kittens and even with the territorial males. In return for these meals, the adult males protect the females and their kittens from incoming, competing males.[67] Disrupting these communities leads to deadly intraspecific strife, including infanticide on the kittens, and social chaos within the family groups.[68] Trophy hunting destabilizes cougar populations, which may cause increased conflicts with humans, pets and livestock.[69]

D. *Trophy hunting is unnecessary, as cougars are a self-regulating species*: Cougars occur at low densities relative to their primary prey, making them sensitive to bottom-up (prey declines) and top-down (human persecution) influences.[70] Their populations must stay at a smaller size relative to their prey’s biomass or risk starvation.[71] They do this by regulating their own numbers.[72] When prey populations decline, so do cougar populations.[73] Cougar populations also require expansive habitat, with individual cats maintaining large home ranges that overlap with one another.[74]

E. *Killing large numbers of cougars halts their ability to create trophic cascades in their ecosystems, which benefits a wide range of flora, fauna and people:* Cougars serve important ecological roles, including providing a variety of ecosystem services.[75] As such, conserving these large cats on the landscape creates a socio-ecological benefit that far offsets any societal costs.[76] Their protection and conservation has ripple effects throughout their natural communities. Researchers have found that by modulating deer populations, cougars prevented overgrazing near fragile riparian systems, resulting in greater biodiversity.[77] Additionally, cougars help maintain the health

and viability of ungulate populations by preying on sick individuals, reducing the spread of disease such as chronic wasting disease (CWD) and brucellosis.[78]

These wild cats help other wildlife, too. For example, carrion left from cougar kills feeds scavengers, beetles, foxes, bears and other wildlife species, further enhancing biodiversity.[79] Cougars also reduce vehicle collisions with deer, saving drivers $1.1 million in collision costs annually in South Dakota.[80]

F. *Heavy trophy hunting and predator control of cougars can lead to increased conflicts with humans, pets and livestock:* Social stability of native carnivore populations is a significant contributor to their resiliency. Yet human persecution, primarily from trophy hunting, predator control, and trapping, changes the demographics (sex and age) and density of native carnivore populations.[81] For example, if the cougar in a home range is removed or killed, the vacancy likely will attract a younger, dispersing animal that is more likely to be involved in human or livestock conflicts.[82] As such, trophy hunting can easily destabilize the cougar population, leading to increased conflicts.[83] Research shows that while livestock conflicts with cougars are extremely low in Oregon,[84] conflict with these wild cats is higher in areas with trophy hunting and indiscriminate predator control.[85]

G. *Trophy hunting of cougars is not economically sound or supported by the majority of Americans:* The public values cougars and views them as an indicator of healthy environments while posing little risk to people living near them.[86] Surveys also show that the majority of Americans do not support trophy hunting.[87]
Nonconsumptive users are a rapidly growing stakeholder group who provide immense economic contributions to the communities in which they visit.[88] The U.S. Fish and Wildlife Service's 2016 wildlife-recreation report indicates that wildlife watchers nationwide have increased 20% from 2011, numbering 86 million and spending $75.9 billion, while all hunters declined by 16%, with the biggest decline in big game hunter numbers, from 11.6 million in 2011 to 9.2 million in 2016.[89] Altogether, hunters spent $25.6 billion in 2016, about one-third that spent by wildlife watchers.[90] The America's Wildlife Values study found that in Oregon the percentage of mutualists – who believe that "we should live in harmony" with wildlife– is 40 percent, an increase of 6 percent between 2004 and 2018. On the other hand, traditionalists – who "believe wildlife should be used and managed for human benefit" – make up just 27.5 percent of Oregonians, a decrease of 5.5% since 2004.[91]

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[1] The hunting of cougars is done primarily for trophy purposes and is therefore considered "trophy hunting." The Humane Society of the United States defines trophy hunting as the practice of killing—or pursuing with the intent to kill—wild animals to display their body parts, not primarily for food or subsistence.
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[17] September 8, 2023, Spring Bear and Cougar Petitions, WDFW Staff Presentation and Recommendation to Commission https://wdfw.wa.gov/sites/default/files/2023-09/9823-c-d-bear-cougar-petitions.pdf
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[20] Peebles et al., "Effects of Remedial Sport Hunting on Cougar Complaints and Livestock Depredations.", citing Lambert et al. 2006 and Robinson et al. 2008
[21] Teichman, Cristescu, and Darimont, "Hunting as a Management Tool? Cougar-Human Conflict Is Positively Related to Trophy Hunting."
[22] Peebles et al., "Effects of Remedial Sport Hunting on Cougar Complaints and Livestock Depredations."
[23] Peebles et al., p.6
[24] Dellinger et al.
[25] Dellinger et al.
[26] Peebles et al., "Effects of Remedial Sport Hunting on Cougar Complaints and Livestock Depredations."; Kristine J. Teichman, Bogdan Cristescu, and Chris T. Darimont, "Hunting as a Management Tool? Cougar-Human Conflict Is Positively Related to Trophy Hunting," *BMC Ecology* 16, no. 1 (2016).
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[28] Lennox et al.
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June 21, 2025

Oregon Dept. of Fish and Wildlife
4034 Fairview Industrial Dr. SE
Salem, OR 97302
ATTN: Commissioner Becky Hatfield-Hyde

Re: Proposed 2026 Mule Deer Season

Subject: Proposed 2026 Unit Boundaries

I strongly oppose the boundary changes for WMU 70 (Beatys Butte). Moving the SW corner to the Warner unit and the SE corner to lower Whitehorse involves more than a 70 percent loss of mule deer habitat in the Beatys Butte unit. Beatys Butte is a large unit simply because more than half of it is not mule deer country.

The proposal decimates Beatys Butte and for compensation adding the south half of Juniper and south half of Wagontire is like trading in a 2025 Cadillac for a 1960 Nash Rambler. A large portion of those two 'half-units' are unsuitable for mule deer hunting as well due to fires, BLM seedings, lack of suitable habitat and water, and private property. Exhibit 3 shows the magnitude of wildfire burns in the Beatys Butte unit in Areas 1 and 2.

The proposed SC-01 reduces deer hunting in the current Beatys Butte unit to Areas 2 and 3. Area 3 can be hunted out within a few days and those hunters eventually moved to other areas.

Exhibit 1 shows the current WMU unit boundaries and they should remain so. Beatys Butte, Wagontire, Warner and Juniper WMUs should remain complete separate units each for much of the same reason as above. No more north and south separations. Compare that with Exhibit 2, the proposed unit boundaries.

How many other state wildlife agencies use a computer model of migratory data to establish unit boundaries or is this a new concept? If portions of the Warner herd occupies the SW corner of the Beatys Butte unit during the hunting season then why does it matter if Beatys Butte hunters harvest the same deer Warner hunters would? Same goes for the SE corner. It seems to me that these changes are benefiting one group of hunters over another.

The ODFW can manage a herd regardless of what unit it migrates to or from. The proposal is based on data gathered from 2005-2019 during extended drought periods and deer have responded for good reason – the lack of water sources and predators.

These changes will cause drastic changes to hunters culturally in that most hunters choose to camp and hunt in areas they are familiar with, camp in their favorite locations and within their preferred type of landscape. Keep in mind that a lot of us consider the camp and camaraderie are 90 percent of the hunt. Hunters need more information. The ODFW map is inadequate and ODFW needs to estimate how tag numbers will be affected in each unit and the points required to be successful in the draw. The proposal must be postponed until then. And how will the proposal affect antelope and bighorn season boundaries?

I have hunted Beatys Butte (and other areas) since 1962 and know the area very well. I remember when, in the 1960s, 70s and early 80s, deer populations were high. One could see them in large numbers throughout the year. Beatys Butte was a hunter's paradise.

The two most important management actions that will improve mule deer populations in the South Central and South East units are as follow:

1. Water Sources: In the 1960s and early 70s the BLM was aggressively developing water sources. The BLM has, for decades, ignored previous reservoir, waterhole and spring developments and have left them to silt in resulting in less water retention and drying up early. This has resulted in fewer reliable water sources which, in turn, has exposed wildlife to predators, and to the benefit of hunters. ODFW needs to encourage the BLM to maintain these projects or the ODFW must seek funds to develop new sources or rehabilitate existing ones with state and federal grants.

The WMU 70 (Beatys Butte) has only a few isolated reliable springs and no perennial streams. Deer rely primarily on various impounded water when available to avoid predicable behavior. Such actions as discussed above would disperse deer populations and reduce exposure to predation and may even discourage migration to areas where water is more reliable.

The current proposal of "sit and wait and see what happens" will likely take 20-30 years to see much of an improvement, if any. It takes an on-the-ground physical effort to get results and the development and/or rehabilitation of water sources is imperative.

2. Predator Control: In the 1950s through the 70s Lake County had three government trappers paid by the county and USDA APHIS to reduce coyote populations. We now have an overabundance of bears, cougars and wolves when compared to the current population of prey. The ratio is unbalanced and could possibly result in A. G. Wallahan's theory of when a "species having fallen below its 'point of resistance'" they may fail to recover (*Game Management by Aldo Leopold, 1933, pg.86*). In order to manage one species one must also manage its predators to balance the predator to prey ratio. Relying on nature is not an option in today's world.

Bears: When elk hunting in the southern Warner unit bear scat can be found everywhere. ODFW needs to eliminate the requirement of salvaging the meat for consumption. More bears will be harvested. I, myself, and other hunters, would like to have a bear mount or rug, but I find eating one repulsive.

Cougars: They are, by far, the most successful, if not the greatest threat deer have in the SC and SE units. Open country is an advantage to them as well the lack of reliable water sources. They are (like wolves) highly mobile and migratory (when hungry) even though they are somewhat territorial. In the last three years (2022-2024) I was fortunate to have had three Beatys Butte tags in a row. In 2023 and 2024 I hunted nine days each season and didn't even see a deer. I blame that on cougars and wolves, not "climate change."

Over the years, cougars have been forcing deer to migrate from the Beatys Butte unit to safer zones such as Warner Valley and closer to human activity.

Wolves: Like cougars, they are highly mobile and migratory. In about 2018 a wolf pack was observed by ranchers in the southern half of the Warner unit. No one recalls seeing any radio but noted seeing "a big black one." They probably came up from California. Shortly thereafter wolves were in Guano Valley at the Barry ranch and caused severe injury to several horses that were forced to run up to or through a barbed wire fence. Their tracks were conclusive.

The enclosed map (Exhibit 4) that I pieced and taped together from coping an old ODFW unit map. Note how the 2026 proposal has dwindled the only viable hunting habitat left consisting of Areas 2 and 3 (center of map outlined in black) to an oblong shape stretching north from Highway 140 to Beatys Butte proper. And half of that is not worth hunting for deer. I have also included Exhibit 4 supplements which describe each labeled subsection of the unit and why it is or is not suitable for mule deer hunting.

The blue border line represents what will be turned over to the Warner unit (WA-01) and the red line resents what will be turned over to the lower part of the Whitehorse unit (aka Trout Creek TC-02). I have also suggested two alternatives marked with green and red/green lines:

1. For Area 4 and 4A, the SW section of Beatys Butte, all the country east of the red/green line would remain in the Beatys Butte/SC-01. That will leave the Rabbly Gravelly portion in the WA-01 unit and would add approximately 30 percent more of viable hunting habitat in the SC-01 proposed unit to reduce hunting pressure on Areas 2 and 3. Refer to the 4/4A supplemental for border road descriptions.

2. The alternative for Areas 5 and 5A, the SE section of Beatys Butte, all the area west of the green and red/green line would remain in SC-01. That will leave Area 5 containing the Pueblo Mountains in the TC-02 unit and add about 5-10 percent more viable hunting habitat in the SC-01 unit to relieve hunting pressure around South Corral Spring in Area 3. Refer to the 5/5A supplemental for border road descriptions. Area 5 in the TC-02 which includes the Pueblo Mountains is heavily hunted and is in need of hunter management.

The alternatives is the only fair solution for the Warner, Beatys Butte and Trout Creek Mountain hunters if ODFW continues with their proposed changes. I sincerely hope the ODFW will reconsider their proposed unit changes (If it ain't broke, don't fix it) and hopefully resort to Exhibit 1 and adopt an on-the-ground approach to improve water resources and impress upon the legislature that predator control is necessary. As I have stated before, it doesn't matter where the deer migrate to or from. Making on-the-ground improvements and the use of predator control are the best alternatives. The ODFW can monitor a herd by herd range boundaries without changing WMUs boundaries.

Sincerely,

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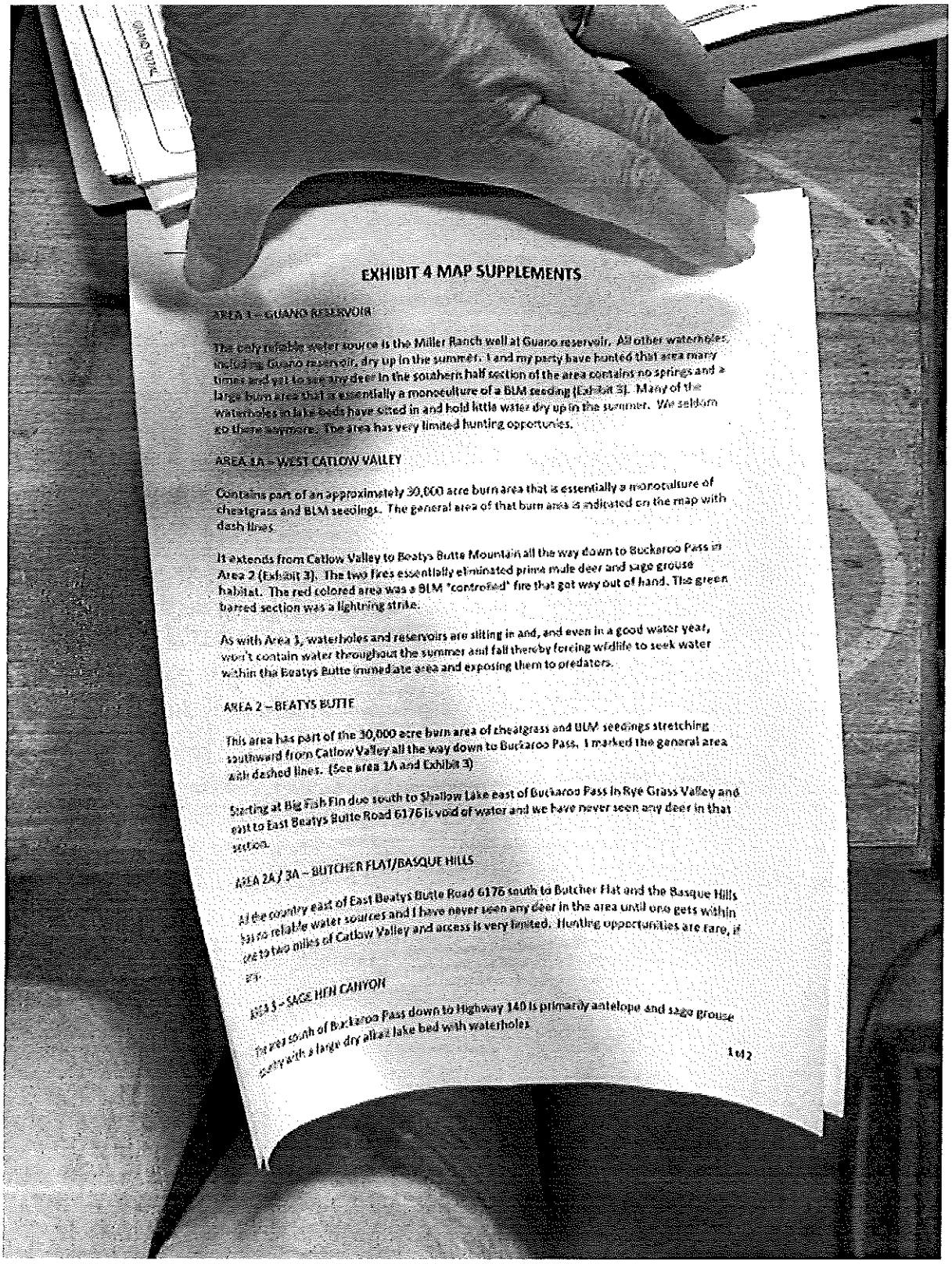

EXHIBIT 4 MAP SUPPLEMENTS

AREA 1 – GUANO RESERVOIR

The only reliable water source is the Miller Ranch well at Guano reservoir. All other waterholes, including Guano reservoir, dry up in the summer. I and my party have hunted that area many times and yet to see any deer in the southern half section of the area contains no springs and a large burn area that is essentially a monoculture of a BLM seeding (Exhibit 3). Many of the waterholes in lake beds have silted in and hold little water dry up in the summer. We seldom go there anymore. The area has very limited hunting opportunities.

AREA 1A – WEST CATLOW VALLEY

Contains part of an approximately 30,000 acre burn area that is essentially a monoculture of cheatgrass and BLM seedings. The general area of that burn area is indicated on the map with dash lines.

It extends from Catlow Valley to Beatys Butte Mountain all the way down to Buckaroo Pass in Area 2 (Exhibit 3). The two fires essentially eliminated prime mule deer and sage grouse habitat. The red colored area was a BLM "controlled" fire that got way out of hand. The green barred section was a lightning strike.

As with Area 1, waterholes and reservoirs are silting in and, and even in a good water year, won't contain water throughout the summer and fall thereby forcing wildlife to seek water within the Beatys Butte immediate area and exposing them to predators.

AREA 2 – BEATYS BUTTE

This area has part of the 30,000 acre burn area of cheatgrass and BLM seedings stretching southward from Catlow Valley all the way down to Buckaroo Pass. I marked the general area with dashed lines. (See area 1A and Exhibit 3)

Starting at Big Fish Fin due south to Shallow Lake east of Buckaroo Pass in Rye Grass Valley and east to East Beatys Butte Road 6176 is void of water and we have never seen any deer in that section.

AREA 2A / 3A – BUTCHER FLAT/BASQUE HILLS

All the country east of East Beatys Butte Road 6176 south to Butcher Flat and the Basque Hills has no reliable water sources and I have never seen any deer in the area until one gets within one to two miles of Catlow Valley and access is very limited. Hunting opportunities are rare, if any.

AREA 3 – SAGE HEN CANYON

The area south of Buckaroo Pass down to Highway 140 is primarily antelope and sage grouse country with a large dry alkali lake bed with waterholes.

WAGONTIRE 73 AND JUNIPER 71 WMUs

EXHIBIT 4