

Summary of and Responses to Public Comments on the Draft Bobcat Management Plan, May 2012

DEC received comments from approximately 1,600 individuals and organizations on the draft “Management Plan for Bobcat in New York State, 2012-2017” during the 30-day public comment period (January 18 – February 16, 2012). Availability of the draft plan was announced via Department press release, the DEC website, and the Environmental Notice Bulletin (ENB). All comments received were either addressed in the revised final plan or are responded to below.

Most of the comments received offered little specific feedback on the draft plan and many commenters simply used the opportunity to express their opposition to hunting and trapping in general. Most of the comments received from hunters and trappers in New York supported our proposals to expand harvest opportunities, even with the additional harvest reporting requirements involved. Nearly all of the comments were received via e-mail, and many were the result of organized action networks that reached individuals from throughout the United States and many foreign countries.

We reviewed the content of each comment and organized them to define a finite set of issues that required some response. During this process, individual comments were not counted as “votes” for or against specific proposals in the plan, or the plan in general, but they offered insights into areas that required further clarification, justification, or modification in the final plan. To the extent practical, we responded to relevant concerns identified by any number of individuals. We thank all who took the time to personally review the draft plan and provide specific feedback. Based on these comments, we have made a number of substantive, as well as minor, revisions to the plan, as discussed below.

1. Opposition to trapping or hunting of bobcats and/or other wildlife species

Comments:

Many people voiced their disapproval of any trapping or hunting of bobcats specifically, and/or wildlife in general. That disapproval reflected their personal values against killing animals, belief that human use of wildlife was inappropriate, or that taking of wildlife should only be allowed when necessary to alleviate human-wildlife conflicts.

Response:

We realize that many people do not approve of hunting, trapping, or other activities that involve capture or killing of wildlife. However, New York’s Environmental Conservation Law (ECL), as established by the New York State Legislature, specifically authorizes trapping and hunting of animals as a legitimate use of our wildlife resources. Consequently, this management plan provides for this continued use of bobcats, while ensuring that it is done on a sustainable basis. That is accomplished through setting of appropriate seasons across the state, specifying allowable trapping techniques, and monitoring bobcat populations and harvests. In accordance with the ECL, the question of whether to

allow or not allow hunting and trapping of bobcats, or any other furbearing species, was not a subject for discussion during development of this management plan.

2. Bobcat population estimate

Comments:

Several individuals and organizations commented on the bobcat population estimate of 5,000 animals noted in the plan. These comments had two main themes: 1) several questioned how the population estimate was derived; and 2) many felt that 5,000 bobcats was too low a number to sustain harvest.

Response:

First it should be noted that there is no practical way to estimate bobcat populations by methods that involve direct observations of the animals or their sign (tracks, droppings, etc.). The elusive nature of bobcats precludes the effective use of traditional visual observational studies such as those used for assessing waterfowl or other wildlife populations. In the absence of complex field studies, the most common and generally accepted method involves analysis of data collected from hunters and trappers.

The bobcat population estimate noted in the draft plan was developed by biologists on DEC's Furbearer and Small Game Mammal Management Team, with assistance from a then doctoral student at Cornell University. The estimate is an extrapolation from harvest data using a conservative, and we believe accurate, assumption of an approximate 10% harvest rate of bobcat in New York. Harvest totals in recent years via hunting and trapping have ranged between 400+ and 500+ animals per year with a clearly increasing trend over the long term (i.e., 1980s to 2000s). Using the upper limit of approximately 500 bobcats harvested annually, and assuming a 10% harvest rate, we estimated a population of approximately 5,000 bobcats. However, this estimate is only for those areas of New York where harvest is currently allowed (referred to as the Current Harvest Area in the plan). The estimate does not include areas where we propose to institute conservative harvests (Harvest Expansion Area) and where we believe bobcat densities are comparable to or greater than those found in much of the Current Harvest Area. Had we used the actual mean harvest of 470 bobcats per year observed during 2005-2009, and a sustainable harvest rate of 14% calculated for bobcats in eastern New York (Roberts 2010), we would have estimated approximately 3,400 bobcats in just the Current Harvest Area.

The estimate of 5,000 (or 3,400) bobcats can be compared to available data on home range sizes for bobcats across North America. Based on data from 29 populations, female home ranges average about 16 km², and male home ranges average about 40 km² (Ferguson et al. 2009). Based on those figures, and assuming that about half of upstate New York (or about 50,000 km²) is currently open for hunting and trapping, we would expect that area to support about 4,400 bobcats (about 3,125 females and 1,250 males). This suggests that our estimates in the plan are reasonable.

Regardless what the actual number of bobcats is, our management plan provides for a sustainable harvest while maintaining a stable or increasing population. We provided the population estimate for

context, and historic harvest data show that current and proposed harvest opportunities can be allowed without negatively impacting bobcat populations. Bobcat harvests over the past 35 years have increased significantly; if bobcat populations were being overharvested, this trend would not have occurred. If populations were declining, harvest would have declined as bobcat densities decreased. Given that regulations in our Current Harvest Area have been sustained for more than 30 years, and regulations in our proposed Harvest Expansion Area are very conservative, we are confident that the proposals outlined in the plan will not adversely affect bobcat populations in any area of the state.

3. Bobcats on Long Island

Comments:

Several individuals suggested that DEC should re-establish a bobcat population on Long Island or conduct a feasibility study for a possible restoration effort.

Response:

The draft plan identified Long Island as a “No Bobcat Area”, with no plans to establish a population in that area of the state. Bobcats did occur on Long Island in pre-settlement times, but they have been extirpated from the region since the early 1800s. We did not feel that including the historic (pre-European settlement) range was relevant to this five-year management plan, and it is unlikely that bobcats will become established on Long Island naturally due to the geographic isolation of potential habitat from any nearby populations. Therefore, we simply affirmed in the draft plan that a closed season would be maintained and no monitoring is planned.

Still, there are questions as to whether Long Island can sustain a bobcat population with its highly developed landscape and heavy vehicular traffic. It is also uncertain whether the public would support reintroduction of this species to the region. Given the territorial nature of bobcats, establishment of a population on the east end, if possible, could result in frequent dispersal of individuals westward into highly developed areas, where road kills and other conflicts (e.g., predation of pet animals) could arise. Thus, feasibility studies are necessary to determine the extent of available bobcat habitat on Long Island, as well as public acceptance of reintroducing bobcats to the region.

DEC considers such studies a low priority at this time, with low likelihood that a restoration effort would be warranted. Nonetheless, in response to the comments received, we revised Strategy 1.4 of the plan to acknowledge the desire for a feasibility study to be completed, and we indicate our willingness to cooperate with or assist others who wish to pursue such an effort. However, we do not expect to commit substantial time or money to such an effort during the five-year period covered by this plan.

4. Timing of seasons in the Harvest Expansion Area

Comments:

Several hunters and trappers expressed a desire to have the proposed hunting and trapping season dates in the Harvest Expansion Area scheduled after, rather than before, deer season. Both groups indicated that quality of bobcat pelts would be improved with a later season and hunters who use hounds noted that better hunting conditions would likely occur after deer season because of the greater likelihood of consistent snow cover.

Response:

The proposed season date structure in the Harvest Expansion Area was selected to ensure a conservative take as new harvest opportunity is introduced. DEC believes that scheduling the bobcat season prior to deer season will provide the greatest opportunity for most small game hunters and trappers. Having the bobcat season open concurrently with other furbearer seasons also provides simplicity to the hunting and trapping regulations along with easier enforceability. If the bobcat season opened post-deer season, as requested by some commenters, it would be more difficult to enforce illegal take occurring prior to the season but falsely reported as during the season when the animals are brought in to be pelt-sealed. Under the existing proposed season, animals taken illegally after the season closes would have to be kept frozen until the following fall before they could be sealed. It is much easier to identify animals which have spent a long period of time in a freezer. DEC agrees that a later season would provide preferred conditions for hunting bobcats with hounds and also agrees that pelt quality of bobcats improves through the month of January. We hope that data obtained from several years with the proposed season structure will show that longer seasons may be possible in the future. Bobcats are hunted and trapped in the Current Harvest Area beginning on October 25th and pelts taken early in the season have proven to be marketable.

5. Negative bobcat-human interactions

Comments:

We received numerous comments pertaining to draft Objective #3 (“Minimize negative bobcat-human interactions”) and whether the low frequency of conflicts was adequate justification for expanding harvest opportunities.

Response:

We agree that negative bobcat-human interactions are rare. As noted in the draft plan, DEC issued only 13 nuisance or damage permits to remove bobcat over the four-year period 2007-2010. This information was provided simply as background on the frequency of these encounters, not as justification for current or proposed hunting and trapping seasons. Nuisance abatement is often part of the justification for establishing or increasing harvest of other species (such as deer, bear, beaver or Canada geese), but it is not an important justification for allowing harvest of bobcats via regulated hunting and trapping. Rather, New York’s Environmental Conservation Law (ECL) specifically authorizes trapping and hunting of animals as a legitimate use of our wildlife resources. DEC’s bobcat management plan is intended to provide for this use, and ensure that it is done on a sustainable basis. That is

accomplished through setting of appropriate seasons across the state, specifying allowable trapping techniques, and monitoring furbearer populations and harvests.

The plan has been revised in several ways in response to these comments. Most of all, we tried to clarify that the actions proposed are not in response to bobcat-human conflicts. As noted in the plan, bobcat-human conflicts are rare, and reducing conflicts is not why additional bobcat harvest is proposed. Second, we have tried to clarify that the actions proposed are not intended or likely to reduce bobcat populations in any area of the state. The reason for opening and extending bobcat seasons is simply to provide opportunities for trappers and hunters to take some bobcats at levels that we believe the population can sustain. Neither DEC nor the trappers or hunters want to exploit bobcats to the detriment of the population. Finally, we eliminated Objective #3 from the plan, and incorporated monitoring of negative human-bobcat interactions as one of many ways that we will assess the status of bobcats in New York in the future.

6. Negative impacts on bobcat viewing opportunities

Comments:

We received numerous comments expressing concern that increased bobcat harvest would reduce opportunities for viewing or other encounters by the general public who neither hunt nor trap.

Response:

The Department recognizes that bobcats, as with all wildlife, are a public resource managed for the benefit of all the people of the state. As noted in the plan, wildlife enthusiasts, nature photographers, and others also benefit from a healthy bobcat population. As is the case with hunters and trappers, many wildlife photographers also view the elusive bobcat as being a “trophy” species and a rewarding challenge to capture on film. However, some harvest by hunters and trappers does not necessarily equate to a reduced bobcat population, or lessened viewing opportunities. As noted in the plan, for those areas of New York where harvest is currently allowed (referred to as the Current Harvest Area in the plan), the bobcat population appears to have increased significantly over the past 35 years. For much of that area (i.e., the Catskills and Hudson Valley portions), no changes are proposed. In the northern portion of the Current Harvest Area (i.e., the Adirondacks), we expect minimal additional harvest to result from the proposed changes because trapping conditions and access in this region limit trapper effort and success during the winter months. In the Harvest Expansion Area, available data indicate that bobcat densities have increased greatly in recent years, to where they are comparable to or greater than those found in much of the Current Harvest Area. With the limited and highly regulated open season proposed for the Harvest Expansion Area, we do not expect the bobcat population in these areas to decrease, although harvest may slow the rate of increase in the population. It should be noted that bobcats are a highly territorial species, so populations would not experience unlimited growth in the absence of harvest, and may already be at or near appropriate densities (as dictated by availability of prey year-round) in many areas of the state.

As noted above, neither DEC nor the trappers or hunters wish to exploit bobcats to the detriment of the population. Historically, trappers and hunters are among the first to recognize a downturn in populations of harvested game species. We will regularly engage hunters and trappers in central and western New York concerning their observations of bobcats. These informal observations, coupled with more rigorous requirements for harvest reporting (including a new take-per-unit-effort survey) and continued solicitation of observations from the public will strengthen DEC's understanding of the population status of bobcat. Season changes enacted pursuant to the plan will be fully evaluated in five years, when the plan should be reviewed and updated as needed.

7. Ecological role of bobcats, including control of nuisance prey species

Comments:

We received several comments expressing concern that the plan did not acknowledge the ecological role that bobcats serve in the environment, and that increased bobcat harvest would inhibit their ability to control nuisance populations of deer, rodents and feral swine.

Response:

Bobcats are one of many mammalian predators that exist on the landscape across New York State, along with coyotes, fox, fisher, marten, raccoon, and others. In New York, bobcats are considered a generalist and opportunistic predator, meaning they have a very diverse and seasonally variable prey base. Bobcats usually consume mammalian prey, especially rabbits, hares, and other mammals ranging in size from mice and voles to deer (primarily fawns or deer weakened by winter-induced stresses). However, they will occasionally feed on ground nesting birds, reptiles, amphibians, invertebrates, carrion, and domestic animals, including house cats, poultry, small pigs, and lambs.

Bobcat home ranges vary widely depending on food availability, but based on 29 studies across North America, female home ranges average about 16 km² (6 mi²), and male home ranges average about 40 km² (15 mi²) (Ferguson et al. 2009). Because bobcats occur in such low densities, they generally do not effectively "control" or limit any undesirable prey populations. This is especially true in urban-suburban areas, which bobcats tend to avoid, so any hypothesized benefit that bobcats could play in reducing the incidence of host species for Lyme disease (i.e., mice and deer) would be negligible.

There is a large degree of overlap in prey of coyote and bobcat. Coyotes occur in much higher densities and have more general habitat requirements, so they are likely to exert greater predatory pressures in most areas on small mammal populations. Likewise, it seems highly unlikely that bobcats, with their relatively small size and low densities, could exert a major controlling effect on feral swine populations. While it is possible that bobcats could take an occasional piglet, adult feral swine have no effective natural predators in New York, and bobcat are not expected to exert any significant impact at a population level. In fact, feral swine are expected to serve as a major competitor to New York's native wildlife, including bobcats, because they consume similar prey items, are habitat generalists, have higher reproductive rates, and can severely degrade habitats used by bobcat and their native prey.

As noted above, the conservative seasons and highly regulated harvest of bobcats as proposed in the plan are not expected to decrease bobcat populations anywhere in the state. Thus, predatory pressures exerted by bobcat on any prey species are not expected to change as a result of plan implementation.

8. Harvest will compromise re-occupation of suitable habitat elsewhere

Comments:

Several commenters expressed concern that increased bobcat harvest will inhibit the bobcat's ability to re-occupy suitable habitat elsewhere.

Response:

The conservative seasons and highly regulated harvest of bobcats as proposed in the draft plan are not expected to result in decreased bobcat populations anywhere in the state. In areas proposed for new trapping and hunting seasons (i.e., the Harvest Expansion Area), available data indicate bobcat densities are comparable to or greater than those found in much of the Current Harvest Area. With the very conservative season length proposed for these areas, bobcat harvest is expected to be relatively low and bobcat populations are expected to continue to increase. We believe that these harvest control measures will allow for a limited and sustainable harvest of bobcats and continued expansion of bobcat populations in central and western New York. In addition, some areas with bobcat habitat in central and western NY will remain closed for hunting and trapping (i.e., Population Growth Areas) for several more years, and animals in these "closed" areas will help disperse bobcats into additional areas of suitable habitat until they are fully occupied (as determined by their own territorial behavior). Thus little to no effect on bobcat expansion into suitable habitats is expected as a result of the proposed management actions identified in the plan.

9. Bobcat harvest regulations should be more restrictive, as in other states.

Comments:

Some commenters suggested that New York should have more restrictive bobcat trapping and hunting seasons, as are used in some other states.

Response:

New York has had open bobcat trapping and hunting seasons for more than 30 years in some areas, providing long-term experience with sustainable harvest management of this species. Although New York's bobcat seasons are among the longest around (comparable to Ontario and Wisconsin, but longer than other northeastern states), harvest levels have been steady or increasing, indicative of growing populations even with the resulting harvests. Bobcat range has also been expanding as evidenced by the distribution and frequency of credible observation reports in parts of the state where bobcat were uncommon as little as 10 years ago. As such, we believe our current and proposed season dates of October 25th to February 15th for the Current Harvest Area are sustainable and will not be detrimental to

bobcat population densities or distribution. In areas where we plan to open harvest for the first time (Harvest Expansion Area), seasons will be more restrictive (much shorter) than in the Current Harvest Area and we will closely monitor the results. This approach will allow for a limited and sustainable harvest of bobcats and continued expansion of bobcat populations in central and western New York. Bobcat seasons in the Harvest Expansion Area will average about 25 days long on average, which is comparable to season length in adjacent areas of Pennsylvania, where similar population growth has been observed.

While comparisons of New York's bobcat seasons with those in neighboring jurisdictions seem to have merit, they should be done cautiously. Establishing hunting and trapping seasons is often a complex process and the resultant season dates and timing may be a reflection of multiple biological and social considerations in each state. Without knowing the factors that went into the season-setting process, comparing season dates among states can be very misleading. For example, bobcat trapping seasons in northern New York have been much shorter than trapping seasons in other parts of the state for many years, out of concerns for a then geographically limited fisher population, and not a concern about bobcat populations. Now that fisher have greatly expanded their range and numbers, the extra protection afforded by a shorter bobcat trapping season is no longer necessary.

10. Bobcat harvest should not be allowed during the time when bobcats have dependent young.

Comments:

Some commenters were concerned that New York's seasons extend into the time period when bobcats are giving birth or have dependent young, resulting in orphaned bobcat kittens.

Response:

Bobcats in New York begin to breed between mid-January and early February, and some researchers found breeding activities continuing into July. The average gestation period for a litter is 62 days, but varies from 50 to 70 days. Most litters are born in April and May, ranging from March through July. Bobcat hunting and trapping seasons in the Current Harvest Area will both end on February 15, well before any bobcat litters would be expected to be born anywhere in New York State.

11. Summary of changes made to the plan in response to public comment

As noted in the responses above, we made substantive as well as minor changes to the draft plan to produce the final "Management Plan for Bobcat in New York State, 2012-2017." Following are some of the more notable changes we made to the plan in response to public comments received:

- We provided a more clear explanation of how we estimated population size, predicted harvest increases, and impacts of additional harvest on population growth;

- We clarified throughout the plan that there is no desire or intent to reduce bobcat populations anywhere in New York State;
- We eliminated Objective #3 in the draft plan because negative human-bobcat interactions are not a major concern or motivation for actions proposed in the plan;
- We modified the proposed season structure for the New York City Transition area to be the same as other aggregates in the Harvest Expansion Area (i.e., a very conservative season); and
- We acknowledged stakeholder interest in restoring bobcats to Long Island, and indicate our willingness to cooperate with or assist feasibility studies.

We invite all those who commented on the draft plan to review the final version, and we encourage all outdoor enthusiasts and others to share information with DEC about their encounters and interactions with bobcats in New York in the future.