

STATE OF COLORADO  
Bill Owens, Governor  
DEPARTMENT OF NATURAL RESOURCES  
**DIVISION OF WILDLIFE**  
AN EQUAL OPPORTUNITY EMPLOYER

Russell George, Director  
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Denver, Colorado 80216  
Telephone: (303) 297-1192



*For Wildlife-  
For People*

December 9, 2002

Ralph Morgenweck  
Regional Director, Region 6  
U.S. Fish and Wildlife Service  
134 Union Blvd.  
Lakewood, Co. 80228

Dear Ralph,

Attached is a revised copy of the Lynx Conservation Plan previously dated November 15, 2002. Upon careful review we discovered a typographical error. As a result, the regulatory references on page 4 were incomplete. Commission regulation # 302 E.9.e. was originally listed as "#3039e"; regulation #302E was listed as "#302" and regulation #302 E.9.a-f was listed as "#303 9 a-f". I ask that you replace the previous copy with the corrected one dated November 24, 2002.

The Division of Wildlife continues to appreciate the cooperation of your staff on this ambitious project. If you need further information or clarification please advise.

Sincerely,

A handwritten signature in cursive script that reads "Russell George".

Russell George  
Director

cc: G. Walcher, Senior Staff, R. Kahn, J. Ver Steeg

**FINAL**

**CONSERVATION PLAN  
FOR  
CANADA LYNX  
IN  
COLORADO**

Prepared by:  
Colorado Division of Wildlife

Pursuant to:  
Section 6(c)(1) of the Endangered Species Act  
And  
Colorado Revised Statutes 33-2-102

Colorado Division of Wildlife  
317 W. Prospect Street  
Fort Collins, Colorado 80526

November 15, 2002  
Revised November 24, 2002

This agreement is a proposed amendment to the State of Colorado's Cooperative Agreement it has with the U.S. Fish and Wildlife Service for the Conservation of Endangered and Threatened Fish and Wildlife. The Agreement addresses the State's lynx conservation program, which includes the continued reintroduction of Canada lynx into the State.

Colorado statutes give the Colorado Division of Wildlife (CDOW) the authority to manage wildlife populations for the use, benefit and enjoyment of the people of Colorado and its visitors. Statutes also direct the agency to offer the greatest variety of wildlife-related recreation and to use hunting as the primary method for effecting necessary wildlife harvest (33-1-101). Further, the general assembly finds that it should be the policy of the state to manage all non-game wildlife recognizing the private property rights of individual property owners and to ensure their (*the species*) perpetuation as members of ecosystems. The assembly also states that the species of wildlife that are indigenous to Colorado shall be accorded protection in order to maintain and enhance their numbers to the extent possible (33-2-102).

This agreement between the CDOW and the United States Fish and Wildlife Service (FWS) recognizes the statutory authority of the CDOW to manage wildlife populations, to set hunting seasons and to manage depredations by certain species of wildlife, including bobcat, on privately owned livestock. In addition, the CDOW is attempting to reestablish lynx in Colorado via a reintroduction effort. The success of this effort is incumbent on releasing enough animals to provide adequate densities for breeding (Shenk and Kahn 2002). Further, this plan recognizes that certain activities such as predator control and hunting of bobcat pose certain risks to transplanted lynx. This plan attempts to minimize those risks and to recognize that incidental take will occur. The plan develops strategies for the conservation of the species, including minimizing incidental take for recreational hunting and for certain predator control activities and anticipates that a specific number of such incidents per year will occur even if prevention strategies are followed. Unlawful take of lynx is not addressed by this agreement and individuals who take lynx in such a manner will be prosecuted under the law, as appropriate.

The Canada lynx (*Lynx canadensis*) has been classified by the state of Colorado as a state endangered species since 1976. In 2000 the lynx was classified as a federally threatened species by the United State Fish and Wildlife Service (FWS). Since 1978 there have been 14 investigations into naturally occurring lynx presence in Colorado conducted by the CDOW and other private and public conservation groups. Definitive evidence has not been found to document the presence of lynx from these studies though tracks attributed to lynx were found on a number of occasions. At this time, it is the opinion of the CDOW that without reintroducing lynx there cannot be a viable population in Colorado. The last known resident lynx in Colorado was illegally trapped on the Vail ski area in February 1973. Prior to 1930 it appears lynx were present and in some cases locally abundant, in mountainous areas of central Colorado (Meaney 2002).

Under the above statutory and policy direction the CDOW has implemented an aggressive conservation program for the reestablishment of lynx in Colorado. This program includes reintroductions, research into lynx habitat use, identification of critical lynx areas, monitoring of lynx mortalities and mortality factors, research into snowshoe hare ecology, consultation with land management agencies and other interested public and private groups who manage and use lynx habitat in Colorado.

In 1997 the CDOW and other cooperating agencies developed a "Strategy for the Conservation and Reestablishment of lynx and wolverine in the Southern Rocky Mountains" (Seidel et al 1998). This document reviewed the status of lynx in Colorado and surrounding states and analyzed the potential for reestablishment of viable populations in Colorado. Due to the unknown status in Colorado and little or no probability of long-term viability, the lack of occupied habitat in adjacent states and the presence of significant habitat barriers to recolonization the CDOW and the Lynx Advisory Team determined that reintroduction of lynx was the only feasible strategy that could result in long-term viability of lynx in Colorado. Prior to reintroduction, a series of public meetings were held in Denver, Durango, Monte Vista and Creede. One common theme raised primarily by ranchers was the effect of lynx on livestock, particularly sheep. A review of the literature revealed little or no evidence of depredations on sheep by lynx in North America. However, the Eurasian species of lynx, which is larger, has a history of predation on sheep and other livestock in northern Europe. In Colorado, the bobcat though not a major predator of domestic livestock, is occasionally implicated in depredations on lambs and poultry. The CDOW does not pay for bobcat damage to livestock but statutes do give landowners the ability to kill bobcats that pose a threat to livestock. It is estimated that less than 25 animals per year are taken under this statute in Colorado to protect livestock.

In 1999 the CDOW began a 2-year program to bring lynx from Alaska, and Canadian provinces to Colorado for release in a "core lynx recovery area" in southwest Colorado. The core lynx recovery area is defined as the area of the San Juan and Rio Grande National Forests and associated lands above 9,000 feet extending from Del Norte west to Dolores and north to include the Uncompahgre and Gunnison National Forests in the Gunnison basin (as far north as Taylor Park east to the Collegiate Range). The release area was selected by analysis of habitat availability, human impacts from recreation and roads and by relative abundance of snowshoe hare. This core area could change as lynx movements and reproduction events occur.

A total of 96 lynx were released in 1999 and 2000 (Shenk and Kahn 2002). As of September 2002 a total of 43 of these lynx have died. Twenty-five of the mortalities were from the 41 lynx released in 1999 and 18 from the 55 lynx released in 2000. (Table 1). The CDOW is presently tracking 33 of the 53 lynx possibly alive. Eighteen of the lynx still possibly alive have not been located in over a year. These animals may have moved beyond the areas monitored, have faulty transmitters or may be dead.

To date, there has been no documentation of successful reproduction in any of the reintroduced lynx. There are a number of theories as to why successful reproduction has not yet occurred. Speculation ranges from the overall diet quantity and quality-particularly the percentage of snowshoe hares in the diet of females, post-release stress and the overall density of males relative to females that have established home ranges. CDOW researchers and managers as well as the non-CDOW Lynx Analysis Team theorize the low density of lynx in the core area (those lynx that are monitored) may be the reason for no documented reproduction. Thus, the Colorado Wildlife Commission (CWC) is considering a proposal to release an additional 150-186 lynx within the core area over the next 3-6 years. It is believed that these additional animals would be needed to maintain a density of lynx in Colorado similar to known occupied lynx range in the northern United States and southern Canada (Shenk and Kahn 2002). If, under such increased densities breeding and population growth still does not occur then it would appear that other factors such as sufficient food and or habitat are lacking for the long-term viability of lynx in Colorado.

To date, there have been 3 lynx confirmed shot in Colorado, 2 in New Mexico and one in Nebraska. In one instance in Colorado, the hunter (a non-resident) was apprehended and after an investigation he was cited for illegal taking of a protected species. He was hunting elk and did not have any licenses that would allow the taking of bobcat. The other 2 confirmed cases in Colorado and the Nebraska case did not yield enough information to determine why the lynx was shot or if licensed hunters were involved. The 2 lynx shot in New Mexico dealt with protection of livestock (see section below). An additional 4 lynx were most likely shot but there was not enough evidence to confirm cause of death or if licensed hunters were involved.

Table 1

Cause	1999 Male	1999 Female	2000 Male	2000 Female	2000 Unknown	Total
Starvation	1	6	1	1		9
Hit by Vehicle		2		3	1	6
Shot	3	1	1	1		6
Probable Predation		1				1
Plague				3		3
Unknown: Human Caused						
Probable Shot	1	2	1			4
Probable Hit by Vehicle		2				2
Unknown: Not Starvation	1	2		1		4
Unknown	2	1	3	2		8
<b>Total Mortalities</b>	<b>8</b>	<b>17</b>	<b>6</b>	<b>11</b>	<b>1</b>	<b>43</b>
<b>Number Released</b>	<b>19</b>	<b>22</b>	<b>20</b>	<b>35</b>		<b>96</b>

CDOW also manages other activities in addition to its extensive lynx conservation efforts that must co-exist together in the same geographic areas. For example the lynx core recovery area is used by hunters and livestock producers on private, state and federal lands. At times these activities can be in conflict with lynx management and can result in lynx mortality.

When such activities result in the taking of lynx under Section 9 of the Endangered Species Act (ESA) both the CDOW and FWS must respond and take appropriate actions. It is important that these activities (hunting and livestock grazing and lynx conservation) be in congruence with each other and they should not erode public confidence and support for lynx recovery in Colorado which is key to the program's success. Towards that end, the CDOW has developed this Conservation Plan to include the actions outlined below which are intended to reduce the potential for incidental take of lynx in Colorado and maintain public support for lynx recovery. In addition, due to the proposed augmentation program, lynx are dispersing into atypical habitat and the likelihood of hunters and landowners protecting livestock, encountering lynx in these areas is higher than if lynx were settled into more typical home ranges. Colorado Revised Statutes 33-2-106 allow the Wildlife Commission to permit the take of threatened and endangered species for special purposes. This Conservation Plan outlines those purposes and proposes to allow for take only as enumerated in this plan. In addition Wildlife Commission regulations due to be passed in January 2003 will detail the specifics of take for lynx. The incidental take minimization provisions in this plan are designed to reduce conflicts with landowners and lynx, and to require hunters and landowners to notify CDOW of any incidental take and allow CDOW to use that information as part of the overall lynx recovery program.

## **INCIDENTAL TAKE BY RECREATIONAL HUNTERS OF BOBCAT**

This Plan provides coverage for limited take of lynx by bobcat hunters only. While hunters with small game licenses can legally hunt bobcats, the majority of small game licensees do not hunt bobcats. CDOW will recommend to the Wildlife Commission a registration and permit system for bobcat hunters. This will allow CDOW to focus lynx conservation actions on those hunters that are most likely to encounter bobcats and possibly confuse their target animals with lynx. Further, in order to maximize the distribution of information about lynx among hunters in Colorado and reduce the likelihood of lynx mortality, information will be sent to a variety of hunters in Colorado.

By statute the CDOW is mandated to use hunting as a wildlife management tool and to provide for hunting recreation for the residents of Colorado and visitors (33-1-101 & 106). As was noted above, at times legal hunting activities may come into conflict with lynx recovery. Of specific concern are hunters who confuse lynx with bobcat, which are a legal species to take in Colorado. Bobcats are hunted from December 1 through February 28 of each year. There is no bag or possession limit, however all bobcat taken must be sealed with a DOW supplied tag within 30 days of capture. Lynx and bobcat are very similar in appearance and in some instances (particularly when the lynx is not wearing a radio collar) it can be extremely difficult for a bobcat hunter to differentiate a bobcat from a lynx. This increases the incidences of misidentification, particularly during the first 5 years of augmentation, since during this 5 year period lynx are likely to be widely dispersing and occupying potential marginal habitat.

Bobcat harvest (Appendix C) for the past five years has averaged ~320 animals. Approximately 20% of that harvest or 60-65 animals have come from the core lynx recovery area. Most bobcat hunting occurs as a random chance encounter or from using a predator call. Permits to take bobcat at night are regulated by the CDOW on public land. Permits may be denied when the CDOW deems they may have an adverse effect on wildlife resources (Commission regulation #302 E.9.e). There is no recreational take of bobcat by traps, snares or toxicants allowed in Colorado (Wildlife Commission regulation #302 E) except cage traps. As a result these activities are not covered under this agreement.

In order to minimize mortality of lynx from hunting the CDOW will implement the following actions:

- 1) There will be no night hunting permits for bobcat issued by the CDOW on public lands known to be occupied by lynx. Night hunting permits may be issued in zones of the core lynx recovery area where lynx do not occur. Occupancy by lynx will be determined by radio-collar monitoring and an assessment of whether the animal is establishing a home range or merely passing through the area. Information about any uncollared lynx occurring in an area will also be considered if available. The local wildlife officer (Commission regulation #302 E.9 a-f.) issues these permits. The CDOW will also recommend to the Wildlife Commission that they require a mandatory permit (no charge) that hunters must acquire prior to hunting bobcat. This permit will allow the CDOW to maintain a database of all bobcat hunters and to use this list to distribute informational materials to hunters on lynx. All prospective bobcat hunters will be sent registration materials and background information so they may elect to register for the lynx program. Coverage for incidental take of lynx under this plan will only extend to those who register (see item 4).
- 2) The CDOW will develop a lynx information sheet that will be sent to all bobcat hunters alerting them to differences between lynx and bobcat and also areas where they could expect to see lynx. This information will be available in a format that allows hunters to take the information into the field and will contain photographs of lynx and bobcat and other pertinent information. This information will also be made available to all big game hunters in the lynx recovery area. The information will be made available to the public via license agents, will be sent out with limited licenses (female elk, all deer licenses, all moose licenses, September bear, all bighorn sheep, and all mountain goat) and distributed to specific use groups. The CDOW will also publish this information in both small game and big game brochures.

- 3) In order to maximize the distribution of lynx information, CDOW will send information sheets and field guides to all licensed mountain lion hunters and guides in the core lynx recovery area, and other areas as determined by radio-collar movements, alerting them to the presence of lynx and asking them to report any lynx that their dogs chase and tree to the CDOW.
- 4) CDOW anticipates that as many as 2 lynx total may be taken by bobcat hunters utilizing legal hunting activities in a calendar year and this plan provides for incidental take of 2 lynx by bobcat hunters occurring from legal hunting activities as identified by state law. The provision of incidental take is effective upon the Wildlife Commission's approval of the CDOW lynx augmentation program. If 1 lynx is taken in a calendar year the CDOW shall close night hunting on public lands in the lynx core recovery area and/or in the area where the take occurred. The CDOW shall also recontact bobcat hunters and distribute additional educational material about lynx identification when bobcat hunting. In the event that incidental take occurs the CDOW shall be notified immediately by the hunter and the lynx transported to CDOW offices as soon as possible. The CDOW will continue to monitor survival rates and reproduction to determine if the anticipated bobcat hunter take is harmful to the goal of establishing viable populations. As new information arises, the FWS and CDOW will review the survival information and evaluate the level of take anticipated in this plan.
- 5) These strategies will be available to all bobcat hunters statewide. All bobcat hunters may elect to register for coverage in the program by signing a Letter of Participation (Appendix A). Only those registering under this plan will be eligible for coverage of take that occurs within the anticipated incidental take of 2 animals for all bobcat hunters who participate in this lynx program. Once two lynx are taken by registered bobcat hunter in a calendar year the incidental take authority provided by the biological opinion will no longer apply.
- 6) CDOW anticipates that incidental take coverage will be needed during the augmentation program that will extend from 2003-2007. Incidental take coverage is necessary for the next 5 years since lynx will likely be dispersing and potentially occupying marginal habitat.

#### **INCIDENTAL TAKE BY LANDOWNERS PROTECTING LIVESTOCK**

Colorado Statutes allow landowners to protect their livestock and personal property from damage by certain species of wildlife (33-3-106) including bobcat. Damage caused directly from lynx is not mentioned in either CDOW statutes nor in the authority granted to the Colorado Department of Agriculture (CDA). However, bobcats are included in 33-3-106 as a species that landowners may kill without a permit to protect their property. As was mentioned above in the hunting section, it is possible for landowners to mistake lynx for bobcat in certain areas of the state and illegally shoot or use traps, snares or toxicants to take them by incidentally. One instance of a sheepherder taking a lynx has occurred in Colorado as the animal was allegedly stalking a band of sheep; a similar incident occurred in New Mexico. The Defenders of Wildlife has indicated its willingness to pay for legitimate damage by lynx on livestock.

In order to minimize mortality of lynx and to maintain public support for lynx conservation the CDOW proposes the following:

- 1) Lynx information packets will be made available to all public land grazing permittees so they are aware of the likelihood of lynx in their area. In addition, the CDOW will work with local livestock organizations to ensure they are aware of lynx and the differences between lynx and bobcat. This will include developing materials that stockmen can give out to their herders-this information will be produced in both English and Spanish. Videos of lynx and bobcat will also be made available so that differences in gait and movement patterns can be made clear. The CDOW will present lynx updates at annual meetings of the Colorado Woolgrowers Association, Colorado Cattlemen's Association and the Colorado Farm Bureau. Further, if requested by local agricultural groups, the CDOW assisted by the CSU Extension Service and the USDA Wildlife Services (WS) will sponsor local workshops to alert landowners to methods needed to minimize risk to lynx from predator control activities. The CDOW and USDA-WS will meet annually to discuss lynx distribution and methods to minimize take. The CDOW will also provide WS with updated maps and information of occupied lynx range in Colorado in a timely manner.

- 2) The CDOW authorizes the use of snares, traps and toxicants on private land in Colorado (these tools are not legal to use on public land)(33-6-207) as an aid to prevent damage to livestock from predatory animals including bobcat. Such trapping cannot exceed 30 calendar days in a year per landowner (33-6-207(c)), so the chance that lynx will be taken is already minimized. These tools may only be used on private property and only after a CDOW assessment of damage and a determination that other methods have failed to alleviate the damage. If lynx are known to be occupying the private property where the landowner his/her employees and family members would like to use the above tools the CDOW will not authorize the use of traps or snares until the lynx have moved out of the landowner's property (either on their own or relocated by the CDOW if determined to be feasible by CDOW) or if the landowner or their designee use best management practices adopted by FWS and WS. If there is no evidence of lynx using the specific parcel of private property as defined in 33-6-207 then the CDOW will authorize the use of the following tools as per Commission regulation (chapter 3) and per FWS recommendations: (a) Traps will be padded jaw and no larger than #3. (b) Snare use will be restricted to mechanical foot snares. (c) Traps will use only olfactory attractants (not visual lures, and fresh meat baits, fish oil and anise oil lures meant to attract felids will not be authorized). Traps and snares will be checked every 24 hours. Activities conducted by USDA-APHIS-Wildlife Services will be considered by a separate Section 7 consultation between WS and the FWS. Those activities are not covered under this agreement.

Neck snares will not be authorized in areas occupied by lynx. Radio collar locations and other verified sightings will determine occupation. CDOW will not restrict the use of cage traps, or other live traps, calling and shooting or aerial gunning - even if lynx are known to be located on a rancher's property.

If the CDOW authorizes the use of these tools and if a lynx is subsequently captured the following protocols will be followed; if the animal is alive and unhurt it shall be reported to the CDOW immediately and the CDOW will advise the landowner of how to proceed. If the animal is injured it shall be transported, if feasible, to the nearest CDOW facility or CDOW notified immediately to come get the lynx. If the animal is dead it should be left in the trap or snare and reported to CDOW immediately. If these situations occur after normal business hours the landowner, or their agent, shall leave a message at the nearest CDOW office with the pertinent information. CDOW in coordination with the FWS will investigate all cases of lynx being snared, trapped, shot or killed and determine if the activities were legal, if notification was made and assess other pertinent information.

If funds are available, the CDOW may supplement WS-USDAAPHIS activities (such activities will be mutually agreeable to both parties), if it is determined that predator control activities have been negatively impacted and damage to private property has increased by the presence of lynx. This supplement will be in the form of additional resources to WS via existing agreements.

- 3) The use of guard animals has been approved as a bona fide agricultural practice both on public and private lands to reduce loss by predators to livestock. Guard animals that are performing their intended functions could incidentally kill lynx. If such a kill occurs the landowner or agent shall report such kill to the CDOW within 24 hours. In most situations the use of guard animals is less detrimental to wildlife than other methods of predator control such as traps, snares and toxicants and should be encouraged. Lynx take by guard animals will be included under the anticipated landowner take in this section.
- 4) Lynx that have been mistaken for bobcat and shot by landowners protecting their livestock will be investigated by CDOW in coordination with FWS and such take shall be reported to the CDOW immediately.
- 5) CDOW anticipates that as many as 2 lynx total may be taken as a result of predator control and guard animals described in this section by landowners within a calendar year and this plan provides for the incidental take of 2 lynx by landowners occurring from legal predator control activities as identified by state law. The provision of incidental take is effective upon the Wildlife Commission's approval of the CDOW lynx augmentation program. If 1 lynx is taken the CDOW shall recontact the landowners that have signed up under this plan and redistribute additional educational material and advise them of the number taken and if further restrictions should be implemented. These restrictions could include, no 30 day trapping or snaring permits issued in specific areas where lynx are known to occur, restrictions on methods of take and moving lynx that are occurring on private lands. CDOW will not move denning females or females with dependent young. The CDOW will continue to monitor survival rates and reproduction to determine if the anticipated landowner take is harmful to the goal of establishing viable populations. As new information arises, the FWS and CDOW will review the survival information and evaluate the level of take anticipated by this plan.
- 6) These strategies will be available to all livestock owners statewide. All landowners may elect to register for coverage in the program by signing a letter of participation. Only those registering for the program will be eligible for coverage. Once two lynx are taken in any given calendar year by registered landowners conducting predator control activities, the provision of this Plan covering landowners no longer applies.

- 7) CDOW anticipates that incidental take coverage will be needed during the augmentation program that will extend from 2003-2007. Incidental take coverage is necessary for the next 5 years since lynx will likely be dispersing and potentially occupying marginal habitat

## **ENFORCEMENT RESOLUTION**

The federal prohibition on "take" imposed by section 9(a)(1)(G) of the Endangered Species Act shall not apply to the population of Canada lynx that are the topic of this Cooperative Agreement except to the extent that the taking of such animals is contrary to the law of the State of Colorado. The State of Colorado shall be responsible for the enforcement of the laws of the State of Colorado in consultation with the U.S. Fish and Wildlife Service.

The U.S. Fish and Wildlife Service is authorized to enforce the federal prohibition on take applicable to the extent that the taking of such animals is contrary to the law of the State of Colorado. Such enforcement shall be undertaken only after consultation with the State of Colorado and a finding by the Director of the U.S. Fish and Wildlife Service, after consultation with the U.S. Department of Justice, that a separate prosecution is necessary.

## **MONITORING**

The CDOW will provide the FWS an annual report of lynx deaths and actions taken to reduce human-caused mortalities. If need arises, this plan will be amended to identify additional actions and mortality types not already covered by this plan, the FWS and CDOW will annually review this plan to determine the scope and details. Written notification of such actions will be made to the FWS for their review and approval prior to the implementation of any new actions. Due to federal CITES requirements all bobcats in Colorado are sealed within 5 days of the close of the season. Therefore, CDOW has opportunities to monitor the harvest and determine areas of potential conflicts between lynx and bobcat harvest. Such areas of high potential conflict will be targeted for intensive distribution of information and identification materials to land and livestock owners.

## **SECTION 7 CONSULTATIONS**

The CDOW is committed to working with the FWS and other agencies involved in Section 7 consultations on the effects of certain activities on lynx and lynx habitat. The CDOW and FWS are presently involved in developing processes to streamline Section 7 consultations and ensure that the best information is brought to bear on the specific issues.

## **LITERATURE CITED**

- Meaney, C. 2002. A review of Canada lynx (*Lynx canadensis*) abundance records from Colorado in the first quarter of the 20<sup>th</sup> century. Colorado Department of Transportation Report.
- Seidel, J et. al. 1998. Draft strategy for the conservation and reestablishment of lynx and wolverine in the Southern Rocky Mountains. Colorado Division of Wildlife report.
- Shenk, T.M. and R. Kahn. 2002. Lynx reintroduction: Report to the Wildlife Commission. Colorado Division of Wildlife. Fort Collins, Co.

## **APPENDIX A -**

### **Letter of Participation for Landowners and Hunters State of Colorado Lynx Reintroduction Program**

The State of Colorado (State) and the U.S. Fish and Wildlife Service (FWS) have cooperated in the development of Conservation Plan for Canada Lynx to address citizen concerns about the continued reintroduction of lynx in Colorado. This Conservation Plan has been amended to the State's Section 6 Cooperative Agreement. The FWS has issued a Biological Opinion pursuant to Section 7 of the Endangered Species Act (ESA) on the Conservation Plan and the Section 6 Amendment to address incidental take of lynx that may result from bobcat hunting and landowners protecting their property from bobcat predation, carried out within the state of Colorado.



During the next year you may carry out the activities identified in the Conservation Plan and you will be covered under the Biological Opinion for incidental take of lynx as long as 1) such take is within the threshold identified in the Conservation Plan and Biological Opinion; and 2) you have carried out the measures identified below. This take coverage applies to you, your employees, and family members, once you have signed-up with the CDOW to participate in this program. By signing this certificate you agree to the following as described in the Lynx Conservation Plan:

## **HUNTERS**

1. You have received, read, and understand the Lynx Information Packets developed by CDOW
2. Should you inadvertently shoot or tree a lynx you will immediately release the animal, if it is unharmed, and immediately notify CDOW. Should the animal be injured you will either immediately transfer the animal to the nearest CDOW facility or immediately notify CDOW. If the animal is dead, you will leave the animal in place and notify CDOW. If this situation occurs after hours, you will leave a message at the nearest CDOW office with the pertinent information.
3. You understand that CDOW will notify you should the annual threshold of lynx take for the calendar year be reached and that any further lynx mortality in that calendar year resulting from your actions are not covered by the State's Lynx Conservation Plan and associated Biological Opinion.
4. You understand that as the threshold is approached, further limitations may be imposed as specifically set forth in the Conservation Plan and Biological Opinion.
5. In conducting any hunting, you will implement the minimization measures provided to you by CDOW and described in the Conservation Plan.

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## **LANDOWNERS**

1. You, your family members, and your employees have received, read, and understand the Lynx Information Packets, including bilingual materials, developed by CDOW.
2. Should you, your family members, or your employees inadvertently shoot, capture, trap, or tree a lynx you will immediately release the animal, if it is unharmed, and immediately notify CDOW. Should the animal be injured you will either immediately transfer the animal to the nearest CDOW facility or immediately notify CDOW. If the animal is dead, you will leave the animal in place and notify CDOW. If this situation occurs after hours, you will leave a message at the nearest CDOW office with the pertinent information.
3. Should your guard dog, if you possess one, kill or injure a lynx, you will immediately notify CDOW.
4. You, your family members, and your employees understand that CDOW will notify you should the annual threshold of lynx take for the calendar year be reached and that any further lynx mortality in that calendar year resulting from your actions or those of your family members or employees are not covered by the State's Lynx Conservation Plan and associated Biological Opinion.
5. You, your family members, and your employees understand that as the threshold is approached, further limitations may be imposed as specifically set forth in the Conservation Plan and Biological Opinion.
6. In conducting any trapping, you, your family members, and your employees will implement the minimization measures provided to you by CDOW and described in the Conservation Plan.

\_\_\_\_\_  
Signature

**APPENDIX B-**

**Human-Caused Lynx Mortalities**

**Shot**

6/18/1999	AK99M23	shot west of Magotes, case unsolved
10/31/1999	AK99F27	shot near The Glade, hunter confessed and was prosecuted
11/16/1999	AK99M6	shot in Nebraska, case unsolved
8/30/2000	AK00M2	shot near Electra Lake, shot by sheepherder claiming lamb predation, no prosecution
4/20/2001	YK00F4	shot south of Chama, NM, rancher claimed predation on peacocks, no prosecution
6/7/2002	BC99M4	shot south of Chama, NM, rancher claimed predation on lambs, no prosecution

**Hit by Vehicle**

7/19/1999	BC99F6	170, near Vail Pass
7/22/1999	AK99F17	Hwy 160, near Wolf Creek Pass
8/17/2000	YK00F6	170, near Bakerville exit; also had plague
12/22/2000	YK00F8	Hwy 550, near Red Mountain Pass
3/16/2002	BC00F5	Hwy 550 near Durango Ski Center
?	?	New Mexico, no collar retrieved

**Unknown Cause of Death**

**Probable Shot**

9/13/1999	AK99F10	found animal in ditch near Villa Grove, case unsolved
6/19/2000	YK99M6	found cut collar in dump near Taos, NM, case unsolved
10/17/2001	YK99F5	found cut collar near Rico, case unsolved
3/28/2002	BC00M1	cut collar, damaged transmitter found in Rio Grande River near Creede, case unsolved

**Probable hit by vehicle**

11/24/1999	AK99F15	blunt trauma, found near Villa Grove
8/10/2000	AK99F25	unknown, possible hit-by-car, near Cty Rd 2 Silverton

Appendix C Bobcat Harvest

<b>Statewide</b>	<b>Harvest</b>	(including roadkills)		
<b>Year</b>	<b>Total</b>			
1997	233			
1998	241			
1999	273			
2000	388			
2001	459			

Harvest By County

<b>County</b>	<b>2000</b>	<b>2001</b>	<b>County</b>	<b>2000</b>	<b>2001</b>
Unknown	7	11	Jackson	na	3
Alamosa	2	na	Jefferson	2	na
Archuleta	9	25	La Plata	4	11
Baca	4	1	Lake	na	4
Bent	2	2	Larimer	21	7
Boulder	2	2	Las Animas	23	29
Chaffee	1	2	Logan	1	na
Clear Creek	na	2	Mesa	25	53
Conejos	17	18	Mineral	na	7
Costilla	6	3	Moffat	21	12
Crowley	1	na	Montezuma	6	2
Custer	5	3	Montrose	24	21
Delta	10	17	Otero	2	5
Dolores	2	1	Ouray	6	na
Douglas	na	1	Park	13	17
Eagle	2	7	Prowers	10	7
El Paso	11	1	Pueblo	3	5
Fremont	22	19	Rio Blanco	29	58
Garfield	31	25	Rio Grande	5	8
Gilpin	1	5	Routt	1	5
Grand	3	4	Saguache	21	10
Gunnison	5	12	San Miguel	6	3
Hinsdale	4	4	Teller	13	8
Huerfano	2	19	Yuma	3	na