R12-4-304
Received in DOHQ
FEB / 4 2025

Dear Commissioners:

Please find enclosed a formal petition to ban hounding in accordance with R12-4-602. Enclosed with this submission are the following documents:

- The R12-4-602 Petition Packet with Petition for Rule or Review of Practice or Policy, signed
- The petition itself, authored by my colleague and I
- Copies of all cited reports, studies, and articles referenced in the petition

I deeply appreciate the Commission's dedication to upholding the integrity of Arizona's hunting community while balancing the crucial work of wildlife conservation and protection. Your thoughtful and measured approach to these complex issues ensures a sustainable future for our state's wildlife and outdoor traditions.

I kindly request the opportunity to meet with the Commission at your earliest convenience to discuss the petition and its contents in further detail. Please feel free to contact me directly at rmcspadden@biologicaldiversity.org or 928-310-6713 to arrange a meeting at a time that works best for you.

Thank you for your careful consideration of this petition and for your continued efforts in service to Arizona's wildlife and conservation priorities.

Sincerely,

Russ McSpadden

Before the Arizona Game and Fish Commission

Petition to Prohibit Hound Hunting in Arizona

Pack of hounds with tracking collars at the conclusion of a bear hunt. Photo courtesy Cowgirl Jules, CC BY-NC-SA 2.0

Authored by:
Center for Biological Diversity
02/04/2025

Via U.S. Mail

02/04/2025

Arizona Game and Fish Department
Director's Office
5000 W. Carefree Hwy
Phoenix, Arizona 85086
rulemaking@azgfd.gov

Subject: Petition to prohibit the use of dogs in recreational hunting of mountain lions, black bears, and other wildlife

To the Arizona Game and Fish Commission:

Pursuant to the right to petition under Arizona state law and in accordance with the rules governing citizen petitions,[1] the Center for Biological Diversity, Mountain Lion Foundation, Sierra Club Grand Canyon Chapter, WildEarth Guardians, Lobos of the Southwest, and Wildlife for All, formally petition the Arizona Game and Fish Commission to prohibit recreational hounding – using packs of dogs to chase down and hunt mountain lions, bobcats, black bears, foxes, coyotes, coatis, ringtails, and other mammals.

This petition addresses only the sport hunting of large cats, bears, and other mammals using packs of dogs, which Arizona law currently allows. It is not concerned with the use of dogs for flushing, pointing, and retrieving game birds and waterfowl. Furthermore, a prohibition on hound hunting would not affect the use of dogs in the tracking and hunting of predators specifically identified for removal under depredation permits.

In most cases, hound hunters allow their dog packs to run far beyond their direct control, with the hunter using GPS collars connected to a network of satellites to follow their dogs remotely with the aid of a smartphone or other handheld smart device to pursue and "take" wildlife. This interconnected system electronically assists in locating wildlife, with the satellite-connected dogs functioning as intermediaries between the hunter and the prey. Such practices are inconsistent with the integrity of fair chase hunting, and with the acknowledged purpose of regulations limiting the use of electronic devices to locate wildlife for the purpose of taking or aiding in the "take" of wildlife.[2] Hunters follow their prey this way on foot, on horseback, or from a passenger vehicle or all-terrain vehicle (ATV).

In their pursuit, the dogs can encounter nontarget wildlife, leading to the harassment, injury, and death of wildlife, including rare and sensitive species such as jaguars, ocelots, and wolves. Evidence clearly demonstrates that 5 of the last 8 jaguars in the Southwest United States—4 in Arizona and 1 in New Mexico—have been pursued, treed, harassed or harmed by dog packs used for recreational

[1] Ariz. Rev. Stat. § 41-1033; Ariz. Admin. Code § R12-4-602.
[2] *See, e.g.*, Ariz. Admin. Code §§ R12-4-303(A)(1)(c) (prohibiting the use of "[a]ny smart device" to take wildlife), (A)(6) (prohibiting the use of "images of wildlife produced or transmitted from a satellite or other device that orbits the earth for the purpose of [t]aking or aiding in the take of wildlife" or "[l]ocating wildlife for the purpose of taking or aiding in the take of wildlife.").

hound hunting, which is a form of "take" generally illegal under the Endangered Species Act. Moreover, hounds in the heat of a hunt have been known to attack people recreating on public lands.

The Commission has the authority and responsibility to enforce Arizona law and protect wildlife and public safety by banning recreational hounding.[3] The Commission must also ensure that wildlife management policies balance hunting practices with the best available science as well as public values on animal welfare and ethical hunting standards including the principles of fair chase that focus on skill and tradition over technology.

A 2024 study that analyzed public perception on hunting black bears and mountain lions in Colorado found that that a significant majority—88.2% of Colorado residents—disapprove of using dogs to hunt mountain lions.[4] In 2023 the National Shooting Sports Foundation published a survey on Americans' attitudes toward legal hunting and found the lowest support for hunting—29%—when high-tech gear is used.[5]

Several states already prohibit the use of dogs while hunting bears and mountain lions as contrary to principles of "fair chase." Indeed, trophy hunters' use of packs of dogs – often in conjunction with technology like GPS trackers and a network of satellites orbiting the Earth – to kill wildlife for little more than bragging rights is unsportsmanlike.

For these reasons, as further explained below, we ask the Arizona Game and Fish Commission to expeditiously grant the Petition and amend state regulations to prohibit hound hunting statewide in Arizona. State law requires that the Commission, within 60 days of receiving a petition, respond by making a rule, initiating rulemaking, or rejecting the petition, providing written justification to the petitioner detailing the reasons for its rejection.[6]

The Petition's supporting documents are available for download from this link:
https://diversity.app.box.com/s/ar7qe99vg7fqgvy2f5pe7qtvehuc3kx/fp.

Respectfully submitted,

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[3] Ariz. Rev. Stat. §§ 17-231(A)(3)-(4)

[4] Dayer, A. A., Jacobs, M. H., Forstchen, A. B., Organ, J. F., & Decker, D. J. (2023). Public acceptance of hunting mountain lions and black bears: Influence of hunting purpose, methods, and sociodemographics in Colorado, USA. *Conservation Science and Practice*, *5*(1), e13213. https://doi.org/10.1111/csp2.13213

[5] Responsive Management & National Shooting Sports Foundation. (2023). *Americans' attitudes toward hunting, fishing, sport shooting, and trapping: 2023 survey report.* Responsive Management. https://www.outdoorlife.com/wp-content/uploads/2023/07/06/Americans-Attitudes-Survey-Report-Final-June-2023-FULL-REPORT-1-1.pdf

[6] Ariz. Rev. Stat. § 41-1033(C).

I. TYPE OF REQUEST: RULEMAKING ACTION THROUGH AMENDMENT

The Arizona State Legislature has tasked the Arizona Game and Fish Commission with prescribing the manner and methods that may be used when hunting wildlife.[7] This Petition respectfully requests that the Arizona Game and Fish Commission use its legal authority to ban hound hunting statewide to recognize principles of fair chase and ethical hunting, protect wildlife – including endangered wildlife like Mexican wolves, jaguars, and ocelots – and ensure public safety.

Specifically, the Petition requests amendment to Ariz. Admin. Code § R12-4-304 (General Seasons) by deleting the language marked with red font, as shown below.

Arizona Administrative Code
Title 12 - NATURAL RESOURCES
Chapter 4 - GAME AND FISH COMMISSION
Article 3 - TAKING AND HANDLING OF WILDLIFE
Section R12-4-304 - Lawful Methods for Taking Wild Mammals, Birds, and Reptiles
Universal Citation: AZ Admin Code R 12-4-304 (B), (C), (E)

B. A person may only use the following methods to take big game when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318.
   1. **To take bear:**
      a. Centerfire rifles;
      b. Muzzleloading rifles;
      c. All other rifles using black powder or synthetic black powder;
      d. Centerfire handguns;
      e. Muzzleloading handguns;
      f. Shotguns shooting slugs, only;
      g. Pre-charged pneumatic weapons .35 caliber or larger;
      h. Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
      i. Bows with a standard pull of 30 or more pounds, using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges;
      j. Crossbows with a minimum draw weight of 125 pounds, using bolts with a minimum length of 16 inches and broad-heads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection (B)(1)(i) to be drawn and held with an assisting device; and
      k. Pursuit with dogs only between August 1 and December 31, provided the person shall immediately kill or release the bear after it is treed, cornered, or held at bay. For the purpose of this subsection, "release" means the person removes the dogs from the area so the bear can escape on its own after it is treed, cornered, or held at bay.

...

   7. **To take mountain lion:**
      a. Centerfire rifles;
      b. Muzzleloading rifles;
      c. All other rifles using black powder or synthetic black powder;
      d. Centerfire handguns;
      e. Muzzleloading handguns;

[7] Ariz. Rev. Stat. § 17-231(A)(3) ("The commission shall: ... [e]stablish hunting, trapping and fishing rules and prescribe the manner and methods that may be used in taking wildlife").

f. Shotguns shooting slugs or shot;
g. Pre-charged pneumatic weapons .35 caliber or larger;
h. Pre-charged pneumatic weapons using arrows or bolts with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges and capable of firing a minimum of 250 feet per second;
i. Bows with a standard pull of 30 or more pounds, using arrows with broadheads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges;
j. Crossbows with a minimum draw weight of 125 pounds, using bolts with a minimum length of 16 inches and broad-heads no less than 7/8 inch in width with metal, ceramic-coated metal, or ceramic cutting edges or bows as described in subsection (B)(7)(i) to be drawn and held with an assisting device;
k. Artificial light, during seasons with day-long hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
l. Pursuit with dogs, provided the person shall immediately kill or release the mountain lion after it is treed, cornered, or held at bay. For the purpose of this subsection, "release" means the person removes the dogs from the area so the mountain lion can escape on its own after it is treed, cornered, or held at bay.

...

C. A person may only use the following methods to **take small game**, when authorized by Commission Order and subject to the restrictions under R12-4-303, R12-4-318, and R12-4-422.
1. **To take cottontail rabbits and tree squirrels**:
a. Firearms,
b. Bow and arrow,
c. Crossbow,
d. Pneumatic weapons,
e. Slingshots,
f. Hand-held projectiles,
g. Falconry, and
h. Dogs.

...

E. A person may **take predatory and fur-bearing animals** by using the following methods, when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318:
1. Firearms;
2. Pre-charged pneumatic weapons .22 caliber or larger;
3. Bow and arrow;
4. Crossbow;
5. Traps not prohibited under R12-4-307;
6. Artificial light while taking raccoon provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail;
7. Artificial light while taking coyote during seasons with day-long hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
8. Dogs.

II. REASONS FOR PETITION

The Arizona Game and Fish Commission should ban hounding to protect wildlife and public safety and promote hunting consistent with principles of fair chase.

A. Hounding of Mammals for Recreation is a Problem Distinct from the Use of Dogs to Hunt Game Birds or to Kill Depredating Mountain Lions

The regulatory changes requested in this Petition concern the recreational use of packs of dogs to pursue or hunt bears, mountain lions, and certain other mammals. Specifically, the ban would pertain to the following kinds of game: bear, mountain lion, two small game species of mammal (cottontail rabbits and tree squirrels), predatory animals (foxes, skunks, coyotes, and bobcats), and fur-bearing animals (muskrats, raccoons, otters, weasels, bobcats, beavers, badgers, and ringtail cats).

Arizona's regulations prescribe hunting methods for cottontail rabbits and squirrels separately from other small game, and the regulatory changes requested here concern mammals only and do not reach the bird species of small game.[8] As such, the requested regulatory changes would not affect the use of dogs for flushing, pointing, and retrieving upland game birds, such as pheasants or quail, or migratory game birds, such as waterfowl. The use of dogs for flushing, pointing, and retrieving game birds and waterfowl does not result in the same impacts to nontarget wildlife and the broader ecosystem, and does not carry the same risks to rare and protected species or people and pets, as does hounding. Unlike the use of dogs like retrievers to aid in bird hunting, the use of hounds to hunt mammals requires that the dogs roam far away from the hunter and is more likely to result in the harassment, injury, and death of nontarget wildlife, including rare and protected species.

Furthermore, the requested regulatory ban on recreational hound hunting would not affect the use of dogs to track mountain lions and bears in response to depredations of livestock. Arizona law addresses the killing of predators to protect property, including livestock, separately from recreational hunting.[9] It explicitly allows use of dogs "to facilitate the pursuit of depredating bears and lions,"[10] without obtaining a hunting license or tag.[11]

B. Hound Hunting Basics

Hounding is a hunting practice that uses dogs – usually a pack of hounds – to track and chase mammals like bears and lions.[12] In a successful hunt, dogs will chase the animal until it is in a position where the hunter can shoot it.

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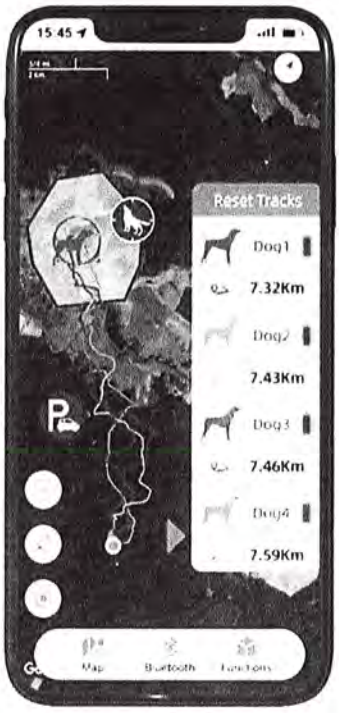
[8] Ariz. Admin. Code § 12-4-304(C)(1). Arizona law classifies waterfowl as "migratory game birds," and it classifies "migratory game birds" and "upland game birds" as "small game." Ariz. Rev. Stat. §§ 17-101(B)(6), (12).
[9] Ariz. Rev. Stat. § 17-302 (Taking of bear or mountain lion for protection of property; report); *id.* § 17-239 (Wildlife depredations; investigations; corrective measures; disposal; reports; judicial review).
[10] *Id.* § 17-302(A)(6) ("Dogs may be used to facilitate the pursuit of depredating bears and lions.")
[11] *Id.* § 17-302(B).
[12] *See* Kenneth D. Elowe, *Bear Hunting with Hounds: Techniques and Effects on Bears and the Public*, 10 East. Workshop Black Bear Res. and Manage 101 (1990).

Hounding for bears and mountain lions involves the hunter finding and identifying a track and setting hounds to follow that track and chase the animal. Once a pack of dogs is unleashed and set on the trail, they can trail an animal for hours to days, covering miles of off-trail terrain in the process.[13] The dogs trail their quarry until the animal is cornered, treed, or otherwise immobilized, at which point the hunter can catch up with the hounds and shoot the animal.[14]

Traditionally, hunters followed these pursuits on foot or horseback. Staying within earshot of the dogs was critical, as hunters relied on their dogs to communicate how the pursuit was progressing through different barks and baying sounds (e.g., when the dogs were in close range of an animal or when that animal stopped running).

Today, however, radio telemetry and GPS collars allow hunters to track the dogs and prey remotely using satellites, their phones or other handheld device, and an expanded road system and ATVs now allow the hunters to follow the chase from a distance.[15]



Example of an app interface for tracking hunting dogs from a smartphone.

C. Arizona's Laws and Regulations on Hounding

Arizona's hunting regulations allow the use of dogs to hunt mountain lions and black bears, as well as a variety of small game, predatory, and furbearing animals.[16]

Because many hound hunters also use motor vehicles to keep up with their dogs, the state's regulations that authorize hounding appear inconsistent with Arizona state law prohibiting the use of motor vehicles to take wildlife.[17] Indeed, the Arizona Game and Fish Department explains that "pursuing wildlife with a vehicle" and "driving off-road to get closer to wildlife" are illegal.[18]

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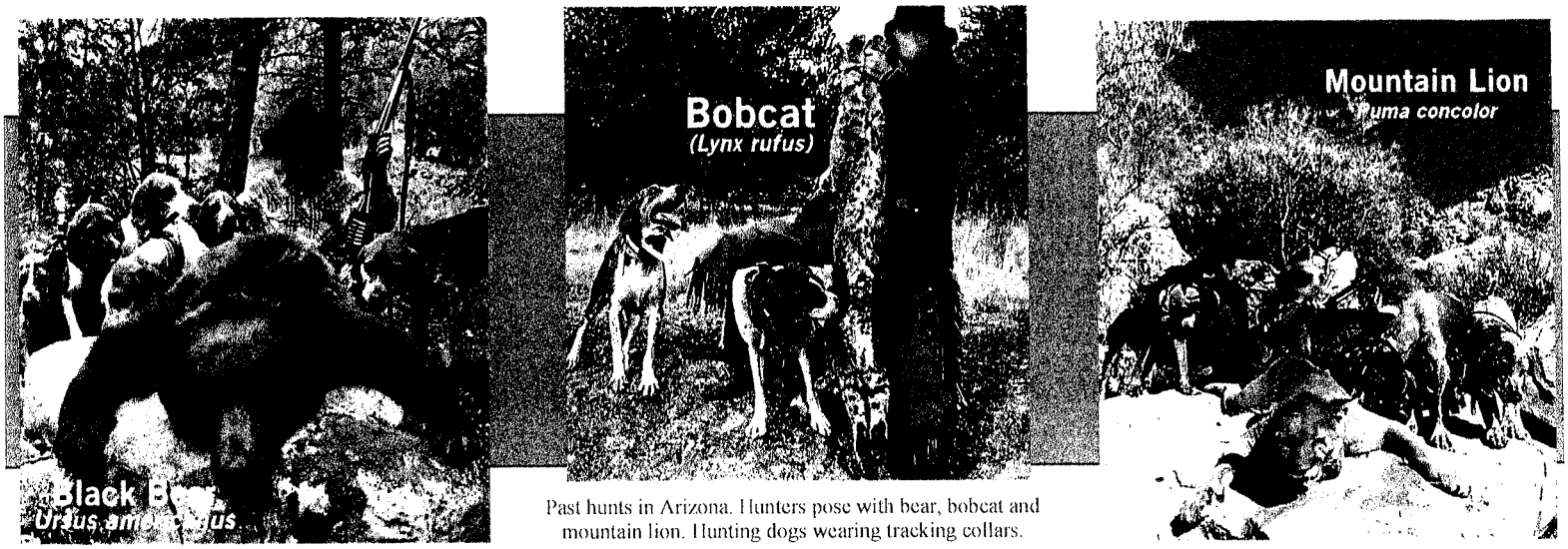
[13] Elowe (1990) at 101–03.
[14] *Id.*; Kyle Green, *Mountain Lion Hunting - How, Why, When, and Where,* Western Hunter (June 3, 2020), https://westernhunter.net/tactics/mountain-lion-hunting-how-why-when-and-where.
[15] *Id.*
[16] Ariz. Rev. Stat. § 17-301(B); Ariz. Admin. Code § R12-4-304; *see* Arizona Game and Fish Dept., *2024-2025 Arizona Hunting Regulations* (2024).
[17] Ariz. Admin. Code § 12-4-319; see Ariz. Rev. Stat. § 17-101(A)(19) (defining "take" to include "pursuing" wildlife).
[18] Arizona Game and Fish Dept., *2024-2025 Arizona Hunting Regulations* (2024), at 80.



Past hunts in Arizona. Hunters pose with bear, bobcat and mountain lion. Hunting dogs wearing tracking collars.

Additionally, the state's regulations forbid using dogs "to pursue, tree, corner or hold at bay any wildlife for a hunter, unless that hunter is present for the entire hunt."[19] It is difficult to understand how a hunter can be "present for the entire hunt" while remotely tracking the hounds from a distance.

Mountain lions can be hunted nearly year-round using dogs, with the 2024-2025 hunting season lasting from August 23, 2024, through May 31, 2025.[20] For black bear hunting, the use of dogs is allowed in the fall but not in the spring (prohibited from January 1 to July 31).[21]

The Arizona Game and Fish Department sets zone-specific harvest thresholds for mountain lions and black bears.[22] Even after the quota is met, or an individual's tag limit reached, the state allows pursuit of mountain lions, bears, and raccoons using dogs, assuming the hunter does not kill or capture the chased animal.[23]

Data collected from hunters by the Arizona Game and Fish Department shows that 748 mountain lions and 323 bears were killed by hunters using packs of dogs during the years 2020 through 2023. During those years the percentage of mountain lions harvested with the use of hounds increased from 61% in 2020 to 69% in both 2021 and 2022 and decreased slightly to 67% in 2023.[24]

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[19] Ariz. Admin. Code § R12-4-303(A)(4)(f).
[20] Arizona Game and Fish Dept., *2024-2025 Arizona Hunting Regulations* (2024), at 49.
[21] *Id.* at 46-47.
[22] Arizona Game and Fish Dept., *AZGFD Harvest Tracking – Mountain Lion Tracking* (2024), https://harvest-tracking.azgfd.gov/harvest-tracking-3/; Arizona Game and Fish Dept., *AZGFD Harvest Tracking – Spring Black Bear Tracking* (2024), https://harvest-tracking.azgfd.gov/harvest-tracking-2-2/; Arizona Game and Fish Dept., *AZGFD Harvest Tracking – Fall Black Bear Tracking* (2024), https://harvest-tracking.azgfd.gov/harvest-tracking-2/.
[23] Ariz. Admin. Code § R12-4-318(C)(3); Ariz. Admin. Code § R12-4-318(C)(4).
[24] Arizona Game and Fish Department, *Survey, Harvest, Hunt Draw Odds Data* (2024), https://www.azgfd.com/hunting/hunt-draw-and-licenses/harvest-reporting/

For many wildlife species, including cottontail, coyote and skunk, hounding is allowed year-round.[25] Hounding for bobcat, foxes, ringtail, weasel, and badger is allowed 8 months a year.[26] Arizona's regulations allow use of guiding services to track wildlife with dogs, as long as the hunter is present with the guide "when the dogs are released on a specific target animal" and "continuously present for the remainder of the pursuit."[27] Numerous commercial hound hunting operations work out of Arizona, including on public lands where jaguars, ocelots, and Mexican wolves roam.[28]

D. Harmful Impacts of Hounding on Nontarget and Protected Wildlife

Hound hunting presents risks to federally protected Mexican wolves, jaguars, and ocelots – including their young – as well as other nontarget wildlife such as deer or ground-nesting birds. Hounds kill mountain lion and bear cubs, and lions and bears can injure or kill hounds.[29]

In 1996, two different jaguars were inadvertently chased and treed by two different hunters using dog packs, one in the Peloncillo Mountains in southeastern Arizona near the border with New Mexico[30] and another, the jaguar Macho B, in the Baboquivari Mountains at the edge of the Tohono O'odham Nation.[31] In 2006, hounds chased and treed another jaguar, named Border King by the hunter, in the Animas Mountains in New Mexico.[32] In 2011, hounds surrounded and treed the famous jaguar "El Jefe" while hunters were targeting mountain lions in the Whetstone Mountains in southern Arizona.[33]


GAME & FISH

Arizona Mountain Lion Hunt Turns Into Dangerous Jaguar Encounter

Nov 11, 2011, article in AZGF magazine online.

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[25] Arizona Game and Fish Dept., (2024) at 56.

[26] *Id.*

[27] Ariz. Admin. Code § R12-4-208(U)(3); *see also* Ariz. Admin. Code § R12-4-303(A)(4)(f).

[28] Dieringer Outfitters LLC, *Arizona Big Game Hunting Authority,* https://dieringeroutfitters.com/. This video shows Dieringer using hounds to hunt mountain lion in Arizona: https://www.youtube.com/watch?v=MBnvZN2PV7c.

[29] F. G. Lindzey et al., "Cougar Population Response to Manipulation in Southern Utah," *Wildlife Society Bulletin* 20, no. 2 (1992) https://drive.google.com/file/d/1a1H5tz3tGYTNEpM8FNA1bHzxDnKCiSw2/view?usp=sharing; Kenneth A. Logan and Linda L. Sweanor, *Desert Puma: Evolutionary Ecology and Conservation of an Enduring Carnivore* (Washington, DC: Island Press, 2001); L. M. Elbroch et al., "Trailing Hounds Vs Foot Snares: Comparing Injuries to Pumas Puma Concolor Captured in Chilean Patagonia," *Wildlife Biology* 19, no. 2 (2013) https://nsojournals.onlinelibrary.wiley.com/doi/10.2981/12-114; *see also* S. Grignolio, E. Merli, P. Bongi, S. Ciuti and M. Apollonio. Effects of hunting with hounds on a non-target species living on the edge of a protected area. Biological Conservation 2011 Vol. 144 Issue 1 Pages 641-649; and Mori. Porcupines in the landscape of fear: effect of hunting with dogs on the behaviour of a non-target species. Mammal Research 2017 Vol. 62 Issue 3 Pages 251-258.

[30] Sandra Blakeslee, *Gone for Decades, Jaguars Steal Back to the Southwest,* The New York Times (Oct. 10, 2006), https://www.nytimes.com/2006/10/10/science/10jaguar.html.

[31] Jeremy Voas, *Cat Fight on the Border*, High Country News (Oct. 15, 2007), https://www.hcn.org/issues/issue356/cat-fight-on-the-border/.

[32] Blakeslee, *supra* note 29.

[33] Aaron Decker, *Arizona Mountain Lion Hunt Turns Into Dangerous Jaguar Encounter*, Game and Fish Magazine (Nov. 30, 2011), https://www.gameandfishmag.com/editorial/arizona-mountain-lion-hunt-dangerous-jaguar/190162.

A memorandum analyzing University of Arizona Jaguar and Ocelot Monitoring Project (UAJOMP) wildlife camera data found that the presence of unleashed hunting dogs reduces mountain lion detections and likely has a similar negative impact on jaguars. The longest period that UAJOMP wildlife cameras went without detecting the male jaguar—named Sombra by students in Tucson—in the Chiricahua Mountains occurred when packs of hunting dogs were present during the hound hunting season, resulting in Sombra abandoning his preferred habitat in the area between December 2018 to June 2019. The memorandum, which was sent to Arizona Game and Fish officials, detailed concerns about "the stress and harassment caused to the jaguar."[34]

During a March 2021 Teams meeting about, among other things, impacts of a proposed project to open a road into occupied habitat by the jaguar Sombra, the U.S. Forest Service presented a PowerPoint slideshow to officials from federal and state agencies, including Raul Vega, Region 5 Supervisor for Arizona Game and Fish Department. Part of the presentation identified hound

Dog Pack Interactions with Jaguars in the United States 1996-2024

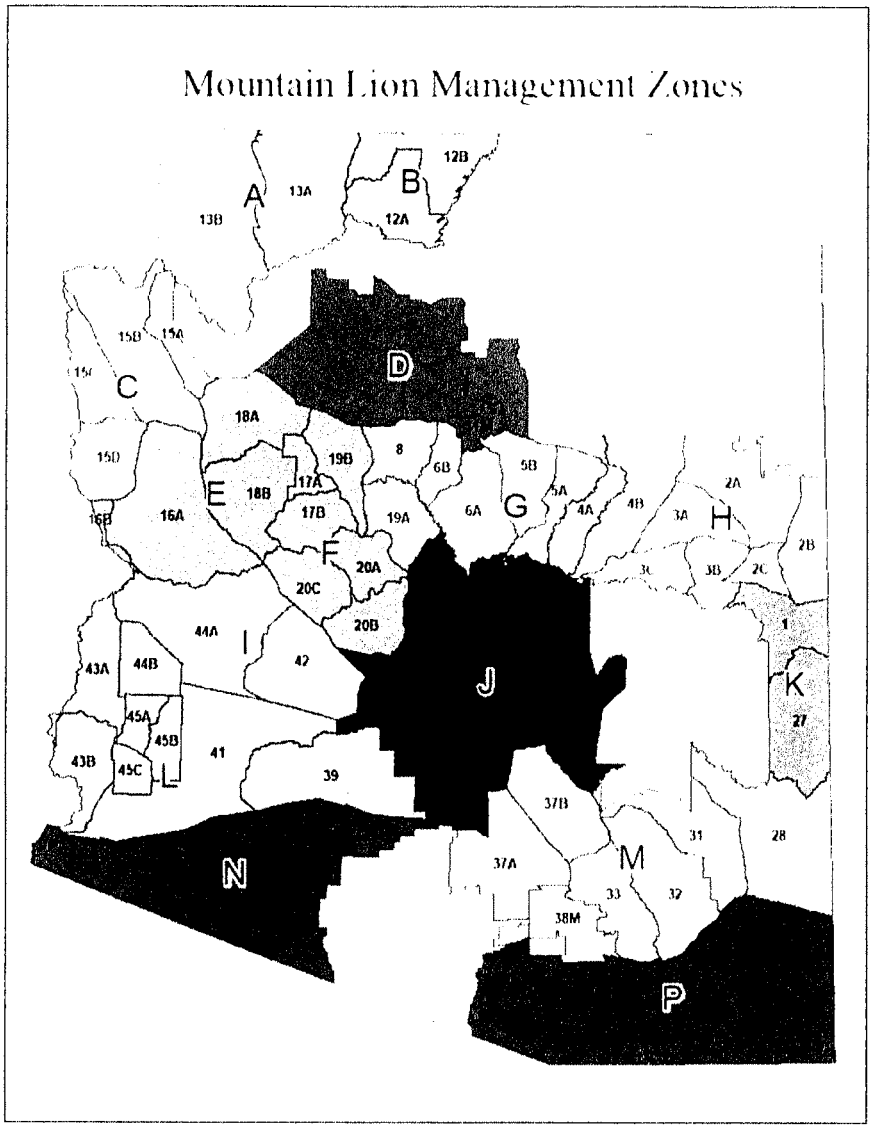
Jaguar Name	Location(s)	Year(s)	Dog Pack Interaction	Outcome
Unnamed Jaguar	Peloncillo Mts	1996	Pursued by lion hunter with dog pack	Never detected again in U.S.
Macho A	Atascosa Mts	2001	None confirmed	N/A
Macho B	Baboquivari Mts, Atascosa Highlands	1996 (Baboquivari), 2001 (Atascosa), 2007 (Baboquivari), 2009 (Sycamore Canyon)	Pursued by lion hunter with dog pack in 1996	Not detected in Baboquivari again for roughly 11 years
Border King	Animas Mts	2006	Pursued by lion hunter with dog pack	Never detected again
El Jefe	Whetstone and Santa Rita Mts	2011–2015	Pursued by lion hunters with dog pack in 2011	Abandoned Whetstone Mountains
Yo'oko	Huachuca Mts (U.S. range), Mexico	2016–2018	Image of pelt found in Mexico, reportedly killed by lion hunter in Sonora; range overlapped area where ocelots have been pursued by dog packs in Huachuca mountains	Deceased (pelt found in 2018)
Sombra	Chiricahua, Swisshelm and Dos Cabeza Mountains	2016–Present	Jaguar abandoned preferred range for six months due to dog pack presence in the area	Range abandonment
O:shad	Huachuca and Whetstone Mts	2023–Present	Both locations have history of ocelot and/or jaguar being pursued by dog packs	Unknown

[34] Memorandum from Melanie Culver, Univ. of Ariz., to Managers of the U.S. Forest Serv., U.S. Fish & Wildlife Serv., & Ariz. Game & Fish Dept. (May 14, 2021) (obtained through Freedom of Information Act request) https://drive.google.com/file/d/1H0QoTvthV4mRpVPvCUvFOnBx9uwjhrE8/view?usp=sharing.

hunting as a key threat to jaguars, stating in text on one slide that hunters, and specifically "mountain lion hunters who use dogs" are "likely to result in harassment to the jaguar."[35]

The Arizona Game and Fish Department recognizes the risk that hounding poses to jaguars. In its hunting booklet, the agency explains that if "when using dogs to tree mountain lions, a jaguar is inadvertently chased and/or treed by dogs, the dogs must be called off the trail upon realization that a jaguar is being chased."[36]

Jaguars do not have refuge from hounding even on national forest lands. The Coronado National Forest, which contains 414,373 acres of the 640,087 acres of jaguar critical habitat (close to 65%), does not prohibit hounding and allows hunting with dogs in accordance with the state law and regulations.[37]



The map above shows the management zones for mountain lion hunting. Jaguar critical habitat overlaps the following units within Mountain Lion Management Zone "P": 30A, 34A, 34B, 35A, 35B, 36B, and 36C.

Arizona's hunting booklet also acknowledges the risk that hounds on the trail can confuse wolves for coyotes. It explains:

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[35] U.S. Forest Service, *Wildlife Effects and Mitigations in John Long Canyon*, presented at Chiricahua Public Access Wildlife Effects and Mitigations Meeting, Teams Video Conference (Mar. 24, 2021). https://drive.google.com/file/d/1kMhnRoakhCBv7W0Gg_OdnmdIp7K6YExa/view?usp=sharing.

[36] Ariz. Game and Fish Dept. (2024) at 50.

[37] U.S. Forest Service, *Coronado National Forest – Huachuca Mountains*, https://www.fs.usda.gov/recarea/coronado/recreation/recarea/?recid=25168 ("Arizona Game and Fish rules and regulations apply on federal land.").

> It is important for hunters to distinguish wolves from coyotes, especially when the sighting is brief, the animal is far away, the wolf is a juvenile, or the wolf is in its summer coat. Hunters should exercise extra caution from July to November because wolf pups are active, and their appearance and behavior can make them appear like coyotes.[38]

Even so, Arizona does not prohibit hounding coyotes in areas occupied by Mexican wolves, including Game Management Units 1 and 27.[39] Allowing hounding of coyotes in Mexican wolf range can lead to the chasing, injury, and even death of Mexican wolves because of mistaken identity.

Endangered ocelots face significant risks from hound hunting, which disrupts their habitat and increases the likelihood of harm. Ocelots are mid-sized, spotted wild cats that share many physical similarities with bobcats,[40] which can be chased and killed by hound hunters in open areas statewide from August 1 to March 31.[41] An ocelot was detected in June of 2024[42] and again in July 2024[43] in two different mountain ranges in the Coronado National Forest, an area popular for hounding.[44] Hounds treed an ocelot in the Huachuca Mountains of southern Arizona in 2011 and several other times, including more recently as a very old animal.[45] In fact, a hunter account confirms that ocelots in Arizona have been repeatedly pursued by hounds. In one instance, the hunter reported that his dogs treed an ocelot in 2011 and have treed an ocelot

Ocelot treed by hounds in the Huachuca Mountains of southern Arizona.

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[38] Ariz. Game and Fish Dept. (2024) at 79.

[39] Defenders of Wildlife, *Hunting and Mexican Gray Wolf Recovery* (2020), https://defenders.org/sites/default/files/2020-07/hunting-and-mexican-gray-wolf-recovery-factsheet.pdf.

[40] Arizona Game and Fish Dept., *Heritage Data Management System: Animal Abstract for Leopardus pardalis* (2010).

[41] Arizona Game and Fish Dept. (2024) at 56-57.

[42] Elizabeth Gamillo, *Rare Ocelot Caught on Camera in Arizona, the First Sighting in Its Area for 50 Years*, Smithsonian Magazine (Aug. 16, 2024) https://www.smithsonianmag.com/smart-news/rare-ocelot-caught-on-camera-in-arizona-the-first-sighting-in-its-area-for-50-years-180984921/.

[43] Austin Corona, *Rare Ocelot Captured on Trail Camera in Southern Arizona*, Arizona Republic (Oct. 3, 2024), https://www.azcentral.com/story/news/local/arizona-environment/2024/10/03/rare-ocelot-captured-trail-camera-southern-arizona/75499869007/.

[44] U.S. Forest Service, *Coronado National Forest – Huachuca Mountains*, https://www.fs.usda.gov/recarea/coronado/recreation/recarea/?recid=25468 ("Arizona Game and Fish rules and regulations apply on federal land.").

[45] Arizona Game and Fish Dept., *Arizona Ocelot* (undated), https://www.youtube.com/watch?v=xWB1HCP2UWY. *See also* Memorandum from Melanie Culver, Univ. of Ariz., to Managers of the U.S. Forest Serv., U.S. Fish & Wildlife Serv., & Ariz. Game & Fish Dept. (May 14, 2021) (obtained through Freedom of Information Act request) https://drive.google.com/file/d/1H8QoEvdhVJmRpVPVCUxEOnB3x9mwjhrL8/view?usp=sharing.

nearly every year since, amounting to as many as 14 incidents of "take."[46] The stress of such pursuits disrupts ocelots' behaviors and compromises their survival and reproduction and undermines federal recovery efforts. The Arizona Game and Fish Commission has a responsibility to manage wildlife in compliance with federal law, including the ESA. Allowing hounds to roam freely in regions known to support endangered ocelots is incompatible with this mandate. Prohibiting hounding in areas supporting endangered species is essential to protect these animals and uphold ethical wildlife management practices.

Jaguars and ocelots can seek refuge in trees or rocky outcrops when such structures are available. However, even if they find an escape route, their lung capacity is far outmatched by that of hunting hounds and hunters may switch out their packs of hounds as they tire to pursue the same target animal.[47] Mexican gray wolves are not able to evade hounds by climbing in any situation.

Under the Endangered Species Act and its implementing regulations, it is generally illegal to "take" listed species.[48] "Take" is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting a listed species, or an attempt to engage in any such conduct.[49] When hound hunters inadvertently set their hounds on a jaguar, Mexican wolf, or ocelot, or when hounds inadvertently pursue a listed species when on the trail of other wildlife, they may illegally "take" the animal under the Act.

In practice, the increasing use of GPS tracking technology has made it more common for hunters to be physically absent from their dogs during hunts. Since dogs cannot distinguish between listed and non-listed species while pursuing animals, hound hunting poses an unacceptable risk of take for listed species. In sum, it is practically impossible to prevent hounding within the range of federally protected species from resulting in the "take" of protected wildlife, in violation of the Endangered Species Act. The presence of dog packs in endangered species habitats can cause significant harm, including physical stress, injury, and death from exhaustion or vulnerability, even without the hunter killing the animal. Dog packs can disrupt critical behaviors like foraging and hunting, leading to malnutrition, displacement from essential habitats, and potential den abandonment. These impacts reduce reproductive success, fragment home ranges, and undermine species recovery. The Arizona Game and Fish Commission should ban hound hunting to protect nontarget wildlife, particularly in areas occupied by federally protected jaguars, wolves and ocelots.

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[46] John Leos, *Hounds in Jaguar Country: Petition Ignites Debate over Future of Hunting Dogs in Arizona*, Ariz. Republic (Jan. 13, 2025), [illegible] ignites-debate-over-hunting-dogs-in-arizona/[illegible].

[47] Caleb M. Bryce, Christopher C. Wilmers, and Terrie M. Williams, "Energetics and Evasion Dynamics of Large Predators and Prey: Pumas Vs. Hounds," *PeerJ* 5 (2017). [illegible]

[48] 16 U.S.C. § 1538(a)(1)(B).

[49] 16 U.S.C. § 1532(19). *See also*, 50 C.F.R. § 17.3 (defining "harass" as "an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering"); 50 C.F.R. § 17.84(k)(3) (defining "harass" and "take" as those terms apply to Mexican wolves).

E. Hounding Risks Public Safety

Hounding has proven unsafe for people recreating on public lands with their family dogs. Attacks on humans by hounding dogs have occurred numerous times and have resulted in severe injuries. Attacks from hounds are also especially dangerous because they occur in remote areas.

For example, in the Nantahala National Forest, in North Carolina, a pack of about twelve bear-hunting hounds attacked a hiker and her pet dogs.[50] The hiker attempted to fight off the attacking hounds for 45 minutes, suffering numerous bite wounds on her hands and legs.[51]

In another incident, several hikers were "swarmed" and attacked by five hunting dogs while in the Green Mountain National Forest, in Vermont.[52] One of these hikers recalled "bleeding profusely from both hands ... screaming at the top of [her] lungs and hoping that the hunters would hear."[53] The hunters did not arrive until about half an hour later and only after the hiker had suffered serious injuries.[54]

In yet another incident, a family and their dog were attacked by a pack of six hunting dogs while hiking on a trail in Hawaii.[55] The family watched as their dog "was being stretched and pulled in two directions" by the hunting dogs.[56] While attempted to protect their pet, one hiker suffered such severe lacerations that she was left unable to use her hands.[57]

Furthermore, while dog attacks can occur in any setting, there are certain features of hounding that increase the likelihood and potential danger of these attacks. First, dogs used for hounding do so in packs, which are more dangerous than individual dogs.[58] Even those that are "individually benign ... can become excited and brought to a state of frenzy" when acting as a group.[59] Second, dogs used to hound wildlife are generally off-leash and rarely under the hunter's voice control. Thus, in the event of a dog attack, hunters may not be able to respond in time to prevent injuries.

Whether injury results from hunting hounds or the wildlife themselves, hound hunting is a threat to public safety. To protect public safety and allow safe outdoor recreation, the Arizona Game and Fish Commission should ban hound hunting.

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[50] Carla Field, *No charges in horrific hunting hounds' attack on hiker, her dogs*, WYFF (Oct. 21, 2014), https://www.wyff4.com/article/no-charges-in-horrific-hunting-hounds-attack-on-hiker-her-dogs/7011471.

[51] *Id.*

[52] Christopher Ross, *Bear-hunting hounds attack hikers and pup*, Addison County Independent (Oct. 31, 2019), https://www.addisonindependent.com/2019/10/31/bear-hunting-hounds-attack-hikers-and-pup.

[53] *Id.*

[54] *Id.*

[55] Rick Daysog, *Hiker says hunting dogs along popular trail attacked his family and their dog*, Hawaii News Now (Jan. 3, 2021), https://www.hawaiinewsnow.com/2021/01/03/hiker-says-hunting-dogs-along-popular-trail-attacked-his-family-their-dog/.

[56] *Id.*

[57] *Id.*

[58] Gabriel M. Fonesca & Rocio Palacios, *An Unusual Case of Predation: Dog Pack or Cougar Attack?* 58 J. Forensic Sci. 224, 225-26 (2012).

[59] *Id.*

F. Hounding is Unsporting and Unethical

In recent years, the Arizona Game and Fish Department and Commission have made much needed changes to hunting regulations in Arizona to ensure that the principles of fair chase and other hunting ethics are upheld. In 2016, the Department banned the use of drones to locate or assist in the taking of wildlife. In 2019, the Commission voted to ban wildlife killing competitions – contests where participants kill animals for prizes or awards, including prizes for killing the most animals – because such events run afoul of ethical standards held by the public. In 2022, the Commission, banned the use of game cameras "to take or aid in the take of wildlife, or locating wildlife to take or aid in the "take" of wildlife."[60] The Commission made this decision because it determined that the use of game cameras violates the Fair Chase Doctrine.

According to the Arizona Game and Fish Department:

> Fair Chase is ethical, sportsmanlike and lawful pursuit and taking of free-range wildlife in a manner that does not give a hunter or an angler improper or unfair advantage over such wildlife…It pays respect to the traditions of hunting and angling by emphasizing the development of an individual's skills rather than reliance on practices or technologies that overwhelm the quarry's ability to elude detection or take.[61]

Similarly, the Commission banned the use of "smart devices," which include "any device equipped with a target-tracking system," to take wildlife.[62] These bans are consistent with the Commission's practice of "monitor[ing] and giv[ing] careful consideration to the fair chase implications of an emerging or evolving technology or practice."[63] A technology or practice presents a fair chase issue when it "allows a hunter or angler to pursue or take wildlife without being physically present and pursuing wildlife in the field."[64]

Accordingly, a ban should be extended to hound hunting, which uses dogs – frequently in conjunction with technology like GPS connected to a dozen or more satellites in medium Earth orbit at an altitude of approximately 12,550 miles, and handheld smart devices like smartphones – that leaves the pursued animals with little chance of getting away, giving the hound hunter an unfair advantage. It is that unfair advantage to the hunter that violates the principle of "fair chase."

Surveys have demonstrated lack of public support for hounding, and even many hunters condemn hounding as unsportsmanlike and unethical.[65] Public support for hunting is at its lowest

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[60] Ariz. Admin. Code § R12-4-303 available at https://casetext.com/regulation/arizona-administrative-code/title-12-natural-resources/chapter-4-game-and-fish-commission/article-3-taking-and-handling-of-wildlife/section-r12-4-303-unlawful-activities-ammunition-devices-and-methods.

[61] Arizona Game and Fish Dept., *Hunt Hard, Hunt Fair*, https://www.azgfd.com/hunting/hunt-hard-and-hunt-fair/.

[62] Ariz. Admin. Code §§ R12-4-301, R12-4-303.

[63] Arizona Game and Fish Dept., *Fair Chase*, https://www.azgfd.com/hunting/hunt-ethics-and-fair-chase/.

[64] *Id.*

[65] Humane Society of the United States, *Facts about bear hounding, baiting and springtime hunting*, https://www.humanesociety.org/resources/facts-about-bear-hounding-baiting-and-springtime-hunting.

when hunters use high-tech gear, such as trail cameras that ping a hunter's smart phone when an animal is detected or smartphones that track dogs in pursuit of wildlife, because such technology gives the hunter an unfair advantage.[66]

Local hunters in Arizona have expressed concerns about the use of hounds, questioning its alignment with the ethical principle of "Fair Chase." One long-time Arizona hunter remarked, "The dogs are an unfair advantage. Why should we spend $25 on a tag, when the animals are all slaughtered the first weekend?"[67] These concerns highlight the growing frustration among hunters regarding hounding practices, as bears are often treed and cornered by scent-tracking hounds, leaving hunters to argue this practice constitutes unfair and unsportsmanlike pursuit.

Accordingly, hunters employing GPS systems to track and take wildlife are not upholding Fair Chase principles. The same is true for handheld smart devices used alongside radio telemetry collars.

Furthermore, many hunters that acquire a tag to hunt mountain lions and bears and other species enlist the services of hunting guides or outfitters. Many guides use their packs of dogs, as well as their GPS collar technology, in the pursuit and exhaustion of the quarry for the hunter, providing an easy target in a tree. This process requires the outfitter to employ the dog packs and the technology to take wildlife, not the hunter. Any skills that hound hunting involves are not demonstrated by the hunter in the process. The hunter is not likely competent in hound hunting, nor are the outfitter's dogs likely to obey any commands of the hunter with the tag. The hunter, in many ways, is simply a bystander or tourist in the pursuit, utilizing no real skills in the process beyond following the dogs. Once the guide's dogs have exhausted their quarry and have treed or cornered it at a rock outcropping, the hunter with the tag takes aim at the exhausted animal and can shoot it.

Bloody interactions between the hounds and the wildlife are commonplace. Smaller animals like racoon, bobcat, coyotes, and foxes that either cannot outrun the hounds or climb trees to escape are often cruelly mauled after being chased by the dogs. Disturbing videos of hound dogs tearing apart wildlife are commonplace on social media.[68]

In Arizona, hounding in the springtime is allowed for mountain lions, as well as numerous species of small game, furbearers, and predatory wildlife. Such springtime hounding is particularly destructive, as dependent young will also likely die from slow starvation and predation when their mothers are killed.

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[66] Responsive Management & National Shooting Sports Foundation. (2023). *Americans' attitudes toward hunting, fishing, sport shooting, and trapping: 2023 survey report.* Responsive Management. https://www.outdoorlife.com/wp-content/uploads/2023/07/06/Americans-Attitudes-Survey-Report-Final-June-2023-FULL-REPORT-1-1.pdf

[67] "Hounds Stir Controversy in Bear Hunting," *White Mountain Independent*, January 26, 2025, https://www.wmicentral.com/360_connection/hounds-stir-controversy-in-bear-hunting/article_eee12430-c486-11ef-9f58-9337f9a0bab91.html.

[68] Humane Society of the United States, *Coyote Shot and Attacked by Hunting Dogs*, YouTube, uploaded June 12, 2014, available at https://www.youtube.com/watch?v=KaKHUfKkWEc.

Especially during hot weather, pursuits of wildlife with packs of dogs can cause severe physical stress. Because of their thick fur and fat layer, bears can die of heat exhaustion or experience miscarriages. [69] Plus, wildlife expend energy evading the dogs that should be used for survival.[70] As such, impacts to pursued animals can be severe, even if the hunters release any nontarget animal following the chase.

While bear hunting is permitted in 34 states,[71] only 17 still allow dogs to be used to hunt bears.[72] Additionally, several states that allow mountain lion hunting have banned the use of dogs, including Washington and Oregon.[73] They require "boot hunting," where hunters instead use calling devices to attract the cats. California has banned all mountain lion hunting for sport.[74]

Hounding is also a cause of injury and mistreatment of hunting dogs. Animal welfare organizations and others have documented instances of injury, stress, abandonment, and even fatal encounters that demonstrate the inhumane treatment of hounds in these hunts. For example, government data gathered in Wisconsin shows that numerous dogs every year suffer injury or death while being used to pursue bears, bobcats, and coyotes.[75] Dogs are sometimes starved to increase their prey drive. There is a significant and consistent pattern of harm to hunting dogs, including physical injuries, abandonment of underperforming or injured dogs, chronic health complications due to exhaustion, dehydration, and selective breeding.[76]

G. The Broader Consequences of Using Packs of Dogs

Mountain lions, black bears, and mesopredators like bobcats, coatis, ringtails and skunks play essential roles in maintaining ecological balance within Arizona's ecosystems.

As apex predators, mountain lions control herbivore populations, preventing overgrazing and fostering plant diversity. Mountain lion caches—the location where a mountain lion stores its prey after a kill—serve as ecological hubs, exhibiting more connections to other species than any

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[69] Beck et al., "Sociological and Ethical Considerations of Black Bear Hunting."

[70] Bryce, Wilmers, and Williams, *Energetics and Evasion Dynamics of Large Predators and Prey: Pumas vs. Hounds*, *PeerJ* (2018), https://peerj.com/articles/3701/

[71] OnX Maps, *Bear Hunting: Fall vs. Spring*, available at https://www.onxmaps.com/blog/bear-hunting-fall-vs-spring.

[72] Gerald Enslee, *Critics of bear hunting include bear hunters — with dogs*, Tallahassee Democrat (June 20, 2015), https://www.tallahassee.com/story/news/local/2015/06/20/critics-bear-hunting-include-bear-hunters-dogs/29003273/.

[73] In Oregon, in 1994, voters passed Measure 18, which banned the use of hounds to hunt cougars. Mountain Lion Foundation, *Mountain Lions in Oregon*, https://mountainlion.org/us/oregon/. In Washington, Initiative 655 was approved by 63% of voters in 1996. The initiative classified baiting black bears and hunting black bears, mountain lions, bobcats, and lynxes with dogs as gross misdemeanors in the State of Washington. Mountain Lion Foundation, *Cougars in Washington*, https://mountainlion.org/us/washington/.

[74] In 1990, California voters passed Proposition 117, which classified mountain lions as a specially protected mammal and permanently banned mountain lion hunting in the state. Mountain Lion Foundation, *Mountain Lions in California*, https://mountainlion.org/us/california/.

[75] Adrian Treves & Laura Menefee, *Adverse effects of hunting with hounds on participants and bystanders*, BioRxiv https://www.biorxiv.org/content/10.1101/2021.08.16.456514v1.

[76] Dana Gentry, *Coyote killing contests, ban on bear hounding before Wildlife Commission,* Nevada Current (Mar 19, 2021), https://nevadacurrent.com/2021/03/19/coyote-killing-contests-ban-on-bear-hounding-before-wildlife-commission/.

other documented carnivore[77] and provide provisions for their own cubs, are shared socially with other mountain lions, and provide food for a range of scavengers from bears and coyotes to beetles and ultimately mushrooms and microbes.[78] Black bears contribute to seed dispersal and nutrient cycling, supporting diverse plant and animal communities. When apex predators are harassed by hounds or removed by hunting, it can trigger a trophic cascade—a domino effect in the ecosystem that can lead to an overabundance of prey species and alter vegetation dynamics.

A recent study found that the sport hunting of mountain lions as a management tool in the western U.S. does not reduce human-lion conflicts, livestock losses, or benefit prey populations. Comparing data from California, where sport hunting has been banned since 1972, with other states that rely on the practice, revealed no significant differences in lion densities, human encounters, livestock predation, or deer populations, suggesting sport hunting serves only as recreation.[79] Furthermore, apex carnivores manage their own populations in the absence of hunting, and there is evidence that hunting can increase conflicts with livestock.[80]

Mesopredators regulate smaller prey populations, creating a balanced food web that sustains biodiversity. Mesopredators avoid areas frequented by hounds. Their displacement disrupts their interactions with smaller prey and can create an unnatural rise or fall in certain prey populations, which may lead to overgrazing or habitat degradation.[81]

Hounds used for hunting pose significant risks to ecological balance by disrupting populations of predators, mesopredators and nontarget species, altering population densities and the behavior of nearly all native species in an area. Wildlife responds variously to the presence of dogs by

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[77] LaBarge, L. R., Evans, M. J., Miller, J. R. B., Cannataro, G., Hunt, C., & Elbroch, L. M. (2022). Pumas *Puma concolor* as ecological brokers: a review of their biotic relationships. *Mammal Review*, *52*(3), 360–376. https://doi.org/10.1111/mam.12281.

[78] Elbroch, L. M., & Quigley, H. (2002). Social interactions in a solitary carnivore. *Current Zoology*, *63*(4), 357–362. https://doi.org/10.1093/cz/zow080; *see also* Allen, M. L., Elbroch, L. M., Wilmers, C. C., & Wittmer, H. U. (2015). The Comparative Effects of Large Carnivores on the Acquisition of Carrion by Scavengers. *The American Naturalist*, *185*(6), 822–833. https://doi.org/10.1086/681004; *see also* Elbroch, L. M., O'Malley, C., Peziol, M., & Quigley, H. B. (2017). Vertebrate diversity benefiting from carrion provided by pumas and other subordinate, apex felids. *Biological Conservation*, *215*, 123–131. https://doi.org/10.1016/j.biocon.2017.08.026; *see also* Barry, J. M., Elbroch, L. M., Aiello-Lammens, M. E., Sarno, R. J., Seelye, L., Kusler, A., Quigley, H. B., & Grigione, M. M. (2019). Pumas as ecosystem engineers: ungulate carcasses support beetle assemblages in the Greater Yellowstone Ecosystem. *Oecologia*, *189*(3), 577–586. https://doi.org/10.1007/s00442-018-4315-z

[79] Laundré, J. W., & Papouchis, C. (2020). The Elephant in the room: What can we learn from California regarding the use of sport hunting of pumas (Puma concolor) as a management tool? *PLoS ONE*, *15*(2). https://doi.org/10.1371/journal.pone.0229638

[80] Peebles, K. A., Wielgus, R. B., Maletzke, B. T., & Swanson, M. E. (2013). Effects of remedial sport hunting on cougar complaints and livestock depredations. *PLoS ONE*, *8*(11). https://doi.org/10.1371/journal.pone.0079713; *see also* Teichman, K. J., Cristescu, B., & Darimont, C. T. (2016). Hunting as a management tool? Cougar-human conflict is positively related to trophy hunting. *BMC Ecology*, *16*(1). https://doi.org/10.1186/s12898-016-0098-1; *see also* Dellinger, J. A., Macon, D. K., Rudd, J. L., Clifford, D. L., & Torres, S. G. (2021). Temporal trends and drivers of mountain lion depredation in California, USA. *Human Wildlife Interactions*, *15*(1). https://digitalcommons.usu.edu/hwi/vol15/iss1/21.

[81] Frid, A., & Dill, L. M. (2002). Human-caused disturbance stimuli as a form of predation risk. *Conservation Ecology*, *6*(1), 11. https://doi.org/10.5751/ES-00404-060111; *see also* Arielle Waldstein Parsons et al., "The Ecological Impact of Humans and Dogs on Wildlife in Protected Areas in Eastern North America," Biological Conservation 203 (2016): 75-88, https://doi.org/10.1016/j.biocon.2016.09.001.

fleeing, increasing vigilance, and changes in habitat use.[82] Because wildlife must balance avoiding potential threats with essential activities such as feeding and seeking mates, disturbances from dogs can lower their overall fitness. Such disruptions may interfere with optimal foraging, parental care, or mating opportunities.[83] Changes in predator or prey populations can affect plant communities and other organisms within the ecosystem. For example, if herbivore populations increase due to predator displacement, overgrazing may reduce plant cover and diversity, affecting soil health, water retention, and availability of food and shelter for other species.

III. CONCLUSION

The use of dogs in the recreational hunting of mountain lions, black bears, and other wildlife presents significant ecological, ethical, and public safety challenges that warrant its prohibition. Dog pack hunting disrupts ecosystems by altering predator-prey dynamics and causes undue stress and harm to nontarget and endangered species such as jaguars, ocelots, and Mexican wolves. The practice, which utilizes technology like GPS or radio collars, as well as satellites and smartphone apps and other handheld smart devices to pursue wildlife from a distance, is unsportsmanlike and unlawful, providing hunters an unfair advantage over wildlife and contributing to cruel outcomes for both the targeted animals and the hunting dogs themselves. To protect Arizona's wildlife, maintain ecological balance, uphold public safety, and ensure ethical hunting practices, we urge the Arizona Game and Fish Commission to ban recreational hounding statewide.

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[82] *Ibid.*

[83] Beale, C. M. (2007). The behavioral ecology of disturbance responses. *International Journal of Comparative Psychology, 20*(2), 111-120; *see also* Beale, C. M., & Monaghan, P. (2004). Human disturbance: People as predation-free predators? *Journal of Applied Ecology, 41*(2), 335-343.

R12-4-602 PETITION PACKET

Petition For Rule or Review of Practice or Policy

Arizona Game and Fish Department, Director's Office

5000 W. Carefree Hwy, Phoenix, Arizona 85086

If you have any questions, please contact the Department's Rules and Risk Section by telephone at (623) 236-7390 or by email at rulemaking@azgfd.gov

PETITION FOR RULE OR REVIEW OF PRACTICE OR POLICY

The requirements for requesting the Arizona Game and Fish Commission to adopt, amend, or repeal a Commission rule or review a current practice or substantive policy statement are detailed in R12-4-602 of the Arizona Administrative Code (included in this packet, see page 5).

This packet is provided by the Arizona Game and Fish Department to assist petitioners in completing petitions in accordance with 12 A.A.C. 4, Article 6.

Please check all applicable boxes and complete all applicable parts.

Failing to complete all applicable portions of this form may result in your petition being rejected and returned to you.

Only one rule, practice, or substantive policy may be addressed in a petition.

Statistical data and/or a list of other persons who are likely to be affected by the review or rulemaking action, with an explanation of the likely affects, may be attached.

If you have any questions about this form or the petition process, please contact the Department's Rules and Risk Section by telephone at (623) 236-7390 or by email at rulemaking@azgfd.gov

The original petition should be mailed or delivered to:

Arizona Game and Fish Department, Director's Office
5000 W. Carefree Hwy
Phoenix, Arizona 85086

Identification of Petitioner

☐ **Petitioner is a private person:**

Name:

Telephone number:

Email:

Physical address:

Mailing address (if different):

☒ **Petitioner is an organization or private group:**

Group or organization name: Center for Biological Diversity

Representative's name and title: Russ McSpadden, Southwest Conservation Advocate

Representative's telephone: (928) 310-6713

Representative's email: rmcspadden@biologicaldiversity.org

Physical address: 378 N. Main Ave
Tucson, AZ 85701

Mailing address (if different):

☐ **Petitioner is a public agency**

Public agency name:

Representative's name and title:

Representative's telephone:

Representative's email:

Physical address:

Mailing address (if different):

Type of Request

☒ **This request is for a rulemaking action (adopt, amend, or repeal.** Provide the heading and specific rule language in the space provided below.

☐ **This request is for review of an existing agency practice or substantive policy statement that the petitioner alleges to constitute a rule as defined under A.R.S. § 41-1001.** Provide a brief description of the practice or substantive policy statement in the space provided below.

☐ **Summary of issues raised in any public meeting or hearing regarding the petition or any written comments offered by the public.** Provide the summary of issues or written comments in the space provided below.

Section R12-4-304 - Lawful Methods for Taking Wild Mammals, Birds, and Reptiles

AZ Admin Code R 12-4-304 (B), (C), (E)

(If necessary, you may attach additional pages to this Petition)

Reason for Petition

1. Justification or rationale in support of the petition:

The Arizona Game and Fish Commission should ban hounding to protect wildlife and public safety and promote hunting consistent with principles of fair chase.

PLEASE SEE ATTACHED DOCUMENT FOR FULL JUSTIFICATION

Signature and Date

Printed name of private person or representative

2/04/2025

Signature of private person or representative

Date

R12-4-602. Petition for Rule or Review of Practice or Policy

A. A person may petition the Commission under A.R.S. § 41-1033 for a:
1. Rulemaking action relating to a Commission rule, including making a new rule or amending or repealing an existing rule; or
2. Review of an existing Department practice or substantive policy statement alleged to constitute a rule.

B. To act under A.R.S. § 41-1033 and this Section, a person shall submit a petition form to the Arizona Game and Fish Department, Director's Office, 5000 W. Carefree Highway, Phoenix, AZ 85086. The form is available at any Department office and on the Department's website.

C. A petitioner shall address only one rule, practice, or substantive policy in the petition.

D. A petitioner shall submit the petition form to the Arizona Game and Fish Department, Director's Office, 5000 W. Carefree Highway, Phoenix, AZ 85086. The petition form is furnished by the Department and is available at any Department office and on the Department's website. A petitioner shall provide all of the following information:
1. Petitioner identification:
   a. When the petition is submitted by a private person, the person's:
      i. Name;
      ii. Physical and mailing address, if different from the physical address;
      iii. Contact telephone number; and
      iv. Email, when available;
   b. When the petition is submitted by an organization or private group;
      i. Name of organization or group;
      ii. Name and title of the organization's or group's representative;
      iii. Physical and mailing address, if different from the physical address;
      iv. Representative's contact telephone number; and
      v. Email, when available;
   c. When the petition is submitted by a public agency;
      i. Name of the public agency;
      ii. Name and title of the agency's representative;
      iii. Physical and mailing address if different from the physical address;
      iv. Representative's contact telephone number; and
      v. Email, when available;
2. Type of request:
   a. Adopt, amend, or repeal a rule, or
   b. Review of a practice or substantive policy statement;

3. When the petition is for rulemaking action:
   a. Statement of the rulemaking action sought, including the *Arizona Administrative Code* citation of all existing rules, and the specific language of a new rule or rule amendment; and
   b. Reasons for the rulemaking action, including an explanation of why an existing rule is inadequate, unreasonable, unduly burdensome, or unlawful;
4. When the petition is for a review of an existing practice or substantive policy statement:
   a. Subject matter of the existing practice or substantive policy statement, and
   b. Reasons why the existing practice or substantive policy statement constitutes a rule;
5. When the petitioner is a public agency, a summary of issues raised in any public meeting or hearing regarding the petition or any written comments offered by the public.
6. Any other information required by the Department;
7. Petitioner's signature; and
8. Date on which the petition was signed.

E. In addition to the requirements listed under subsection (D), a person may submit supporting information with a petition, including:
1. Statistical data; and
2. A list of other persons likely to be affected by the rulemaking action or the review, with an explanation of the likely effects.

F. When a petitioner submits a petition that addresses the same substantive issue considered by the Commission within the previous year, the petitioner shall also provide an additional written statement that includes rationale not previously considered by the Commission in making the previous decision.

G. The Department shall determine whether the petition complies with this Section within fifteen business days after the date on which the petition was received.
1. If the petition complies with this Section
   a. The Department shall place the petition on a Commission open meeting agenda.
   b. The petitioner may present oral testimony at that open meeting under R12-4-604.
   c. The Commission shall render a final decision on the petition as prescribed under A.R.S. § 41-1033.
2. If a petition does not comply with this Section:
   a. The Director shall return the petition to the petitioner, and
   b. Indicate in writing why the petition does not comply with this Section. The petitioner shall be afforded the opportunity to resubmit a corrected petition.

Received in DOHQ

FEB 14 2025

R12-4-318

Dear Commissioners:

Please find enclosed a formal petition to ban pursuit-only hounding in accordance with R12-4-602. Enclosed with this submission are the following documents:

- The R12-4-602 Petition Packet with Petition for Rule or Review of Practice or Policy, signed
- The petition itself, authored by my colleague and I
- Copies of all cited reports, studies, and articles referenced in the petition

I deeply appreciate the Commission's dedication to upholding the integrity of Arizona's hunting community while balancing the crucial work of wildlife conservation and protection. Your thoughtful and measured approach to these complex issues ensures a sustainable future for our state's wildlife and outdoor traditions.

I kindly request the opportunity to meet with the Commission at your earliest convenience to discuss the petition and its contents in further detail. Please feel free to contact me directly at rmcspadden@biologicaldiversity.org or 928-310-6713 to arrange a meeting at a time that works best for you.

Thank you for your careful consideration of this petition and for your continued efforts in service to Arizona's wildlife and conservation priorities.

Sincerely,

Russ McSpadden

Before the Arizona Game and Fish Commission

Petition to Prohibit Pursuit-only Hounding in Arizona

Hounds with tracking collars at tree. Photo courtesy Cowgirl Jules, CC BY-NC-SA 2.0

Authored by:
Center for Biological Diversity
02/04/2025

Via U.S. Mail

02/04/2025

Arizona Game and Fish Department
Director's Office
5000 W. Carefree Hwy
Phoenix, Arizona 85086
rulemaking@azgfd.gov

Subject: Petition to prohibit the use of dogs in recreational hunting of mountain lions, black bears, and other wildlife

To the Arizona Game and Fish Commission:

Pursuant to the right to petition under Arizona state law and in accordance with the rules governing citizen petitions,[1] the Center for Biological Diversity, Mountain Lion Foundation, Sierra Club Grand Canyon Chapter, WildEarth Guardians, Lobos of the Southwest, and Wildlife for All, formally petition the Arizona Game and Fish Commission to prohibit recreational pursuit-only hounding – using packs of dogs to chase down mountain lions, black bears, and racoons.

This petition addresses only the recreational pursuit of wildlife using packs of dogs, which Arizona law currently allows. It is not concerned with the use of dogs for flushing, pointing, and retrieving game birds and waterfowl. Furthermore, a prohibition on hound hunting would not affect the use of dogs in the tracking and hunting of predators specifically identified for removal under depredation permits. A separate petition addresses using packs of dogs to pursue and then *kill* wildlife.

In most cases, pursuit-only hound handlers allow their dog packs to run far beyond their direct control, with the dog handler using GPS collars connected to a network of satellites to follow their dogs remotely with the aid of a smartphone or other handheld smart device to pursue and "take" wildlife. This interconnected system electronically assists in locating wildlife, with the satellite-connected dogs functioning as intermediaries between the hunter and the prey. Such practices are inconsistent with the integrity of fair chase pursuit, and with the acknowledged purpose of regulations limiting the use of electronic devices to locate wildlife for the purpose of taking or aiding in the "take" of wildlife.[2] Dog handlers follow their prey this way on foot, on horseback, or from a passenger vehicle or all-terrain vehicle (ATV).

It is important to note that Arizona Game and Fish defines pursuit as a form of "take," and that Fair Chase principles focus on the chase, the pursuit of wildlife as well.

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[1] Ariz. Rev. Stat. § 41-1033; Ariz. Admin. Code § 12-4-602.

[2] *See, e.g.*, Ariz. Admin. Code §§ R12-4-303(A)(1)(c) (prohibiting the use of "[a]ny smart device" to take wildlife), (A)(6) (prohibiting the use of "images of wildlife produced or transmitted from a satellite or other device that orbits the earth for the purpose of [t]aking or aiding in the take of wildlife" or "[l]ocating wildlife for the purpose of taking or aiding in the take of wildlife.").

In their pursuit, the dogs can encounter nontarget wildlife, leading to the harassment, injury, and death of wildlife, including rare and sensitive species such as jaguars, ocelots, and wolves. Evidence clearly demonstrates that 5 of the last 8 jaguars in the Southwest United States—4 in Arizona and 1 in New Mexico—have been pursued, treed, harassed or harmed by dog packs used for recreational hound hunting, which is a form of "take" generally illegal under the Endangered Species Act. Moreover, hounds in the heat of a hunt have been known to attack people recreating on public lands.

The Commission has the authority and responsibility to enforce Arizona law and protect wildlife and public safety by banning recreational, pursuit-only hounding. The Commission must also ensure that wildlife management policies balance recreational practices with the best available science as well as public values on animal welfare and ethical standards including the principles of fair chase that focus on skill and tradition over technology.

For these reasons, as further explained below, we ask the Arizona Game and Fish Commission to expeditiously grant the Petition and amend state regulations to prohibit hound hunting statewide in Arizona. State law requires that the Commission, within 60 days of receiving a petition, respond by making a rule, initiating rulemaking, or rejecting the petition, providing written justification to the petitioner detailing the reasons for its rejection.[3]

The Petition's supporting documents are available for download from this link: https://diversity.app.box.com/s/esu2ap99vg76gw5l9pc2iqveluo3kv1p.

Respectfully submitted,

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I. TYPE OF REQUEST: RULEMAKING ACTION THROUGH AMENDMENT

The Arizona State Legislature has tasked the Arizona Game and Fish Commission with prescribing the manner and methods that may be used when hunting wildlife.[4] This Petition respectfully requests that the Arizona Game and Fish Commission use its legal authority to ban pursuit-only hounding statewide to recognize principles of fair chase and ethical practices,

[3] Ariz. Rev. Stat. § 41-1033(C).
[4] Ariz. Rev. Stat. § 17-231(A) ("The commission shall: … Establish hunting, trapping and fishing rules and prescribe the manner and methods that may be used in taking wildlife, but the commission shall not limit or restrict the magazine capacity of any authorized firearm.").

protect wildlife – including endangered wildlife like Mexican wolves, jaguars, and ocelots – and ensure public safety.

Specifically, the Petition requests amendment to Arizona Administrative Code § R12-4-304 (Special Seasons), by deleting the language marked with red font, as shown below.

Arizona Administrative Code
Title 12 - NATURAL RESOURCES
Chapter 4 - GAME AND FISH COMMISSION
Article 3 - TAKING AND HANDLING OF WILDLIFE
Section R12-4-318 - Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles
Universal Citation: AZ Admin Code R 12-4-318 (C)

A. Methods of lawfully taking wild mammals, birds, and reptiles during seasons designated by Commission Order as "general" seasons are designated under R12-4-304.

...

C. When designated by Commission Order, the following seasons have specific requirements and lawful methods of take more restrictive than those for general and special seasons, as established under this Section. While taking the species authorized by the season, a person participating in:

1. A "CHAMP" season shall be a challenged hunter access/mobility permit holder as established under R12-4-217.
2. A "youth-only hunt" shall be under the age of 18. A youth hunter whose 18th birthday occurs during a "youth-only hunt" for which the youth hunter has a valid permit or tag may continue to participate for the duration of that "youth-only hunt."
3. ~~A "pursuit-only" season may use dogs to pursue bears, mountain lions, or raccoons as designated by Commission Order, but shall not kill or capture the quarry.~~
   a. ~~A person participating in a "pursuit-only" season shall possess and, at the request of Department personnel, produce an appropriate and valid hunting license and any required tag or pursuit-only permit for the wildlife pursued, even though there shall be no kill.~~
   b. ~~Pursuit is allowed regardless of whether a person has met the bag limit established under R12-4-104(J) for that genus.~~
   c. ~~A person does not commit an offense under A.R.S. § 17-309 where the person causes or allows a dog to pursue a bear, mountain lion, or raccoon when all of the following apply:~~
      i. ~~A pursuit-only season for the wildlife pursued is authorized by Commission Order;~~
      ii. ~~The person possesses a valid hunting license and tag;~~
      iii. ~~The bear, mountain lion, or raccoon is not injured or killed in the course of the pursuit.~~

II. REASONS FOR PETITION

The Arizona Game and Fish Commission should ban pursuit-only hounding to protect wildlife and public safety and promote hunting consistent with principles of fair chase.

A. Pursuit-only Hounding of Mammals for Recreation is a Problem Distinct from the Use of Dogs to Hunt Game Birds or to Kill Depredating Mountain Lions

The regulatory changes requested in this Petition concern the recreational use of packs of dogs to pursue bears, mountain lions, and racoons.

Arizona's regulations prescribe hunting methods for cottontail rabbits and squirrels separately from other small game, and the regulatory changes requested here concern bears, mountain lions and racoons only and do not reach the bird species of small game.[5] As such, the requested regulatory changes would not affect the use of dogs for flushing, pointing, and retrieving upland game birds, such as pheasants or quail, or migratory game birds, such as waterfowl. The use of dogs for flushing, pointing, and retrieving game birds and waterfowl does not result in the same impacts to nontarget wildlife and the broader ecosystem, and does not carry the same risks to rare and protected species or people and pets, as does hounding. Unlike the use of dogs like retrievers to aid in bird hunting, the use of hounds to pursue mammals requires that the dogs roam far away from the dog handler and is more likely to result in the harassment, injury, and death of nontarget wildlife, including rare and protected species.

Furthermore, the requested regulatory ban on recreational, pursuit-only hounding would not affect the use of dogs to track mountain lions and bears in response to depredations of livestock. Arizona law addresses the killing of predators to protect property, including livestock, separately from recreational hunting.[6] It explicitly allows use of dogs "to facilitate the pursuit of depredating bears and lions,"[7] without obtaining a hunting license or tag.[8]

Example of an app interface for tracking packs of dogs from a smartphone.

B. Pursuit-only Hounding Basics

Pursuit-only hounding is a recreational practice that uses dogs – usually a pack of hounds – to track and chase mammals like bears and lions.[9] In a successful pursuit, dogs will chase the animal until it is exhausted and takes refuge in a tree or is corned at a cliff or on a rock outcropping.

Pursuit-only hounding for bears, mountain lions and racoons involves the dog handler finding and identifying a track and setting hounds to follow that track and chase the animal. Once a pack of dogs is unleashed and set on the trail, they can trail an animal for hours to days, covering miles of off-trail terrain in

[5] Ariz. Admin. Code § 12-4-304(C)(1). Arizona law classifies waterfowl as "migratory game birds," and it classifies "migratory game birds" and "upland game birds" as "small game." Ariz. Rev. Stat. § 17-101(B)(6), (12).
[6] Ariz. Rev. Stat. § 17-302 (Taking of bear or mountain lion for protection of property; report); *id.* § 17-239 (Wildlife depredations; investigations; corrective measures; disposal; reports; judicial review).
[7] Ariz. Rev. Stat. § 17-302(A)(6) ("Dogs may be used to facilitate the pursuit of depredating bears and lions.")
[8] *Id.* § 17-302(B).
[9] *See* Kenneth D. Elowe, *Bear Hunting with Hounds: Techniques and Effects on Bears and the Public*, 10 East. Workshop Black Bear Res. and Manage 101 (1990).

the process.[10] The dogs trail their quarry until the animal is cornered, treed, or otherwise immobilized.[11]

Traditionally, pursuit-only dog handlers followed these pursuits on foot or horseback. Staying within earshot of the dogs was critical, as dog handlers relied on their dogs to communicate how the pursuit was progressing through different barks and baying sounds (e.g., when the dogs were in close range of an animal or when that animal stopped running).

Today, however, radio telemetry and GPS collars allow dog handlers to track the dogs and prey remotely using satellites, their phones or other handheld device, and an expanded road system and ATVs now allow the hunters to follow the chase from a distance.[12]

C. Arizona's Laws and Regulations on Hounding

Arizona's hunting regulations allow for a "pursuit only" season in which dogs may be used to pursue bears, mountain lions or raccoons as designated by Commission Order, whereby the pursued wildlife may not be killed or captured.[13]

Because many pursuit-only dog handlers also use motor vehicles to keep up with their dogs, the state's regulations that authorize hounding appear inconsistent with Arizona state law prohibiting the use of motor vehicles to take wildlife.[14] Indeed, the Arizona Game and Fish Department explains that "pursuing wildlife with a vehicle" and "driving off-road to get closer to wildlife" are illegal.[15]

Mountain lions can be hunted nearly year-round using dogs, with the 2024-2025 hunting season lasting from August 23, 2024, through May 31, 2025.[16] For black bear hunting, the use of dogs is allowed in the fall but not in the spring (prohibited from January 1 to July 31).[17]

The Arizona Game and Fish Department sets zone-specific harvest thresholds for mountain lions and black bears.[18] Even after the quota is met, or an individual's tag limit reached, the state allows pursuit of mountain lions, bears, and raccoons using dogs, assuming the hunter does not kill or capture the chased animal.[19]

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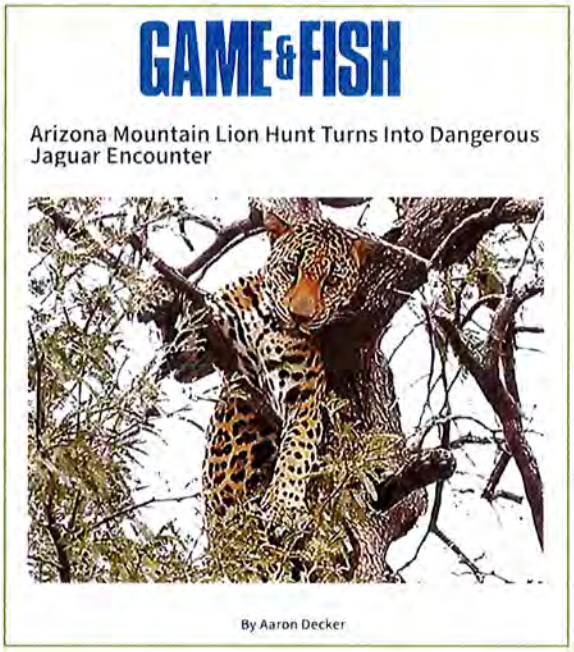
[10] Elowe (1990) at 101–03.
[11] *Id.*; Kyle Green, *Mountain Lion Hunting - How, Why, When, and Where,* Western Hunter (June 3, 2020), https://westernhunter.net/tactics/mountain-lion-hunting-how-why-when-and-where.
[12] *Id.*
[13] Ariz. Admin. Code § 12-4-318 (C); *see* Arizona Game and Fish Dept., *2024-2025 Arizona Hunting Regulations* (2024).
[14] Ariz. Admin. Code § 12-4-319; *see* Ariz. Rev. Stat. § 17-101(A)(19) (defining "take" to include "pursuing" wildlife).
[15] Arizona Game and Fish Dept., *2024-2025 Arizona Hunting Regulations* (2024), at 80.
[16] Arizona Game and Fish Dept., *2024-2025 Arizona Hunting Regulations* (2024), at 49.
[17] *Id.* at 46-47.
[18] Arizona Game and Fish Dept., *AZGFD Harvest Tracking – Mountain Lion Tracking* (2024), https://harvest-tracking.azgfd.gov/harvest-tracking-3/; Arizona Game and Fish Dept., *AZGFD Harvest Tracking – Spring Black Bear Tracking* (2024), https://harvest-tracking.azgfd.gov/harvest-tracking-2-2/; Arizona Game and Fish Dept., *AZGFD Harvest Tracking – Fall Black Bear Tracking* (2024), https://harvest-tracking.azgfd.gov/harvest-tracking-2/.
[19] Ariz. Admin. Code § 12-4-318(C)(4).

D. Harmful Impacts of Pursuit-only Hounding on Nontarget and Protected Wildlife

Pursuit-only hounding is a risk to federally protected Mexican wolves, jaguars, and ocelots, Including their young as well as other nontarget wildlife such as deer or ground-nesting birds. Hounds can kill mountain lion and bear cubs, and lions and bears can injure or kill hounds.[20]


GAME&FISH

Arizona Mountain Lion Hunt Turns Into Dangerous Jaguar Encounter

By Aaron Decker

Nov 11, 2011, article in AZGF magazine online.

In 1996 two different jaguars were inadvertently chased and treed by two different hunters using dog packs, one in the Peloncillo Mountains in southeastern Arizona near the border with New Mexico[21] and another, the jaguar Macho B, in the Baboquivari Mountains at the edge of the Tohono O'odham Nation.[22] In 2006 hounds chased and treed another jaguar, named Border King by the hunter, in the Animas Mountains in New Mexico.[23] In 2011, hounds surrounded and treed the famous jaguar "El Jefe" while hunters were targeting mountain lions in the Whetstone Mountains in southern Arizona.[24]

A memorandum analyzing University of Arizona Jaguar and Ocelot Monitoring Project (UAJOMP) wildlife camera data found that the presence of unleashed dogs reduces mountain lion detections and likely has a similar negative impact on jaguars. The longest period that UAJOMP wildlife cameras went without detecting the male jaguar—named Sombra by students in Tucson—in the Chiricahua Mountains occurred when packs of hunting dogs were present during the hound hunting season, resulting in Sombra abandoning his preferred habitat in the

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[20] F. G. Lindzey et al., "Cougar Population Response to Manipulation in Southern Utah," *Wildlife Society Bulletin* 20, no. 2 (1992) https://drive.google.com/file/d/1a4H5iz3tGYTNKp48FNAfbHzxDnKCiSw2/view?usp=sharing; Kenneth A. Logan and Linda L. Sweanor, *Desert Puma: Evolutionary Ecology and Conservation of an Enduring Carnivore* (Washington, DC: Island Press, 2001); L. M. Elbroch et al., "Trailing Hounds Vs Foot Snares: Comparing Injuries to Pumas Puma Concolor Captured in Chilean Patagonia," *Wildlife Biology* 19, no. 2 (2013) https://nsojournals.onlinelibrary.wiley.com/doi/10.2981/12-114; *see* also S. Grignolio, E. Merli, P. Bongi, S. Ciuti and M. Apollonio. Effects of hunting with hounds on a non-target species living on the edge of a protected area. Biological Conservation 2011 Vol. 144 Issue 1 Pages 641-649; and Mori. Porcupines in the landscape of fear: effect of hunting with dogs on the behaviour of a non-target species. Mammal Research 2017 Vol. 62 Issue 3 Pages 251-258.

[21] Sandra Blakeslee, *Gone for Decades, Jaguars Steal Back to the Southwest,* The New York Times (Oct. 10, 2006), https://www.nytimes.com/2006/10/10/science/10jaguar.html.

[22] Cat Fight on the Border, High Country News (May 15, 2006), available at https://www.hcn.org/issues/issue-356/cat-fight-on-the-border/.

[23] Sandra Blakeslee, *Gone for Decades.*

[24] Aaron Decker, *Arizona Mountain Lion Hunt Turns Into Dangerous Jaguar Encounter*, Game and Fish Magazine (Nov. 30, 2011), https://www.gameandfishmag.com/editorial/arizona-mountain-lion-hunt-dangerous-jaguar/190462.

area between December 2018 to June 2019. The memorandum, which was sent to AZGF officials, detailed concerns about "the stress and harassment caused to the jaguar."[25]

During a March 2021 Teams meeting about, among other things, impacts of a proposed project to open a road into occupied habitat by the jaguar Sombra, the U.S. Forest Service presented a PowerPoint slideshow to officials from federal and state agencies, including Raul Vega, Region 5 Supervisor for Arizona Game and Fish Department. Part of the presentation identified hound hunting as a key threat to jaguars, stating in text on one slide that hunters, and specifically "mountain lion hunters who use dogs" is "likely to result in harassment to the jaguar."[26] The inadvertent pursuit of a jaguar by dogs used for hunting or pursuit only would have nearly identical effects.

Dog Pack Interactions with Jaguars in the United States 1996-2024

Jaguar Name	Location(s)	Year(s)	Dog Pack Interaction	Outcome
Unnamed Jaguar	Peloncillo Mts	1996	Pursued by lion hunter with dog pack	Never detected again in U.S.
Macho A	Atascosa Mts	2001	None confirmed	N/A
Macho B	Baboquivari Mts, Atascosa Highlands	1996 (Baboquivari), 2001 (Atascosa), 2007 (Baboquivari), 2009 (Sycamore Canyon)	Pursued by lion hunter with dog pack in 1996	Not detected in Baboquivari again for roughly 11 years
Border King	Animas Mts	2006	Pursued by lion hunter with dog pack	Never detected again
El Jefe	Whetstone and Santa Rita Mts	2011–2015	Pursued by lion hunters with dog pack in 2011	Abandoned Whetstone Mountains
Yo'oko	Huachuca Mts (U.S. range), Mexico	2016–2018	Image of pelt found in Mexico, reportedly killed by lion hunter in Sonora; range overlapped area where ocelots have been pursued by dog packs in Huachuca mountains	Deceased (pelt found in 2018)
Sombra	Chiricahua, Swisshelm and Dos Cabeza Mountains	2016–Present	Jaguar abandoned preferred range for six months due to dog pack presence in the area	Range abandonment
O:shad	Huachuca and Whetstone Mts	2023–Present	Both locations have history of ocelot and/or jaguar being pursued by dog packs	Unknown

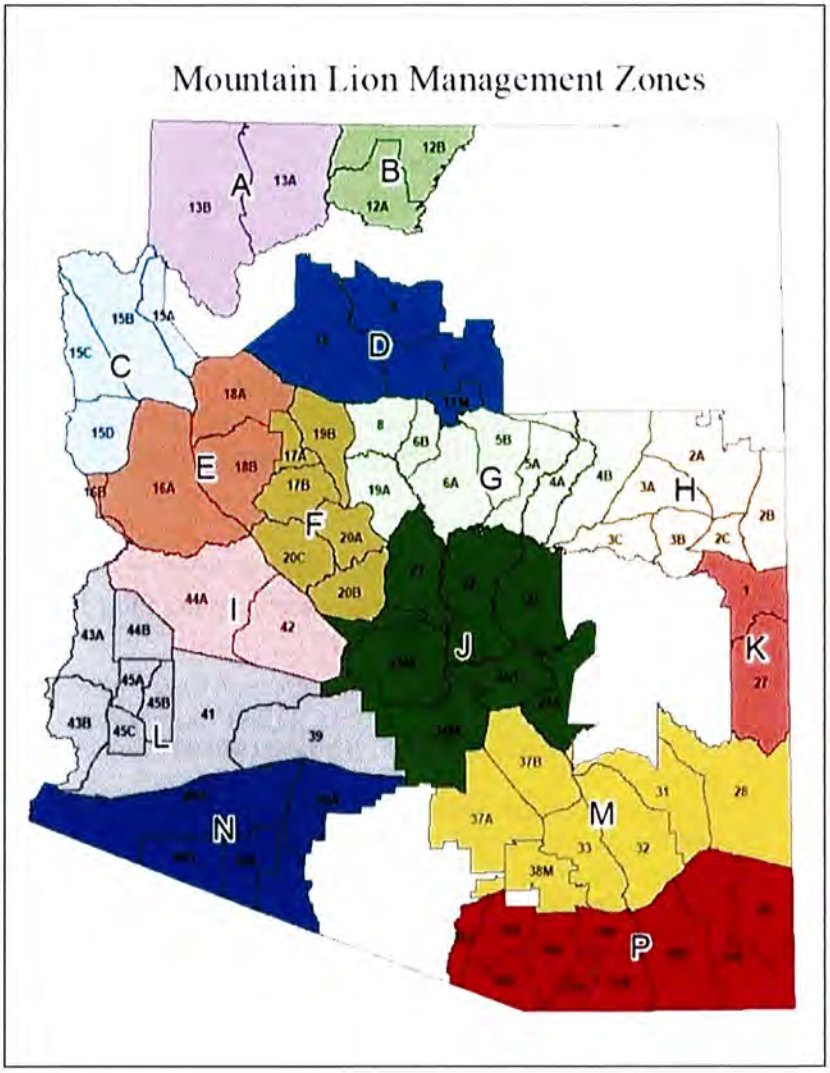
[25] Memorandum from Melanie Culver, Univ. of Ariz., to Managers of the U.S. Forest Serv., U.S. Fish & Wildlife Serv., & Ariz. Game & Fish Dept. (May 14, 2021) (obtained through FOIA request) https://drive.google.com/file/d/1H0QoTvthV4mRpVPvCUvFOnBx9uwjhrE8/view?usp=sharing.

[26] U.S. Forest Service, *Wildlife Effects and Mitigations in John Long Canyon*, presented at Chiricahua Public Access Wildlife Effects and Mitigations Meeting, TEAMS Video Conference (Mar. 24, 2021). https://drive.google.com/file/d/1kMImROakhCBy7WQGg_O4mmdhp7R6YFxa/view?usp=sharing.

The Arizona Game and Fish Department recognizes the risk that hounding poses to jaguars. In its hunting booklet, the agency explains that if "when using dogs to tree mountain lions, a jaguar is inadvertently chased and/or treed by dogs, the dogs must be called off the trail upon realization that a jaguar is being chased."[27]

Jaguars do not have refuge from hounding even on national forest lands. The Coronado National Forest, which contains 414,373 acres of the 640,087 acres of jaguar critical habitat (close to 65%), does not prohibit hounding and allows hunting with dogs in accordance with the state law and regulations.[28]

The map on the right shows the management zones for mountain lion hunting and pursuit-only hounding. Jaguar critical habitat overlaps the following units within Mountain Lion Management Zone "P": 30A, 34A, 34B, 35A, 35B, 36B, and 36C.



Arizona's hunting booklet also acknowledges the risk that hounds on the trail can confuse wolves for coyotes. It explains:

> It is important for hunters to distinguish wolves from coyotes, especially when the sighting is brief, the animal is far away, the wolf is a juvenile, or the wolf is in its summer coat. Hunters should exercise extra caution from July to November because wolf pups are active, and their appearance and behavior can make them appear like coyotes.[29]

Even so, Arizona does not prohibit hounding coyotes in areas occupied by Mexican wolves, including Game

[27] Ariz. Game and Fish Dept. (2024) at 50.
[28] U.S. Forest Service, *Coronado National Forest – Huachuca Mountains*, https://www.fs.usda.gov/recarea/coronado/recreation/recarea/?recid=25468 ("Arizona Game and Fish rules and regulations apply on federal land.").
[29] Ariz. Game and Fish Dept. (2024) at 79.

Management Units 1 and 27.[30] Allowing hounding of coyotes in Mexican wolf range can lead to the chasing, injury, and even death of Mexican wolves because of mistaken identity.

Ocelot treed by hounds in the Huachuca Mountains of southern Arizona.

Endangered ocelots face significant risks from pursuit-only hounding, which disrupts their habitat and increases the likelihood of harm. Ocelots are mid-sized, spotted wild cats that share many physical similarities with bobcats.[31] An ocelot was detected in June of 2024[32] and again in July 2024[33] in two different mountain ranges in the Coronado National Forest, an area popular for hounding.[34] Hounds treed an ocelot in the Huachuca Mountains of southern Arizona in 2011 and several other times, including more recently as a very old animal.[35] In fact, a houndsman's account confirms that ocelots in Arizona have been repeatedly pursued by hounds. In one instance, Tom Beatty Jr. reported that his dogs treed an ocelot in 2011 and have treed an ocelot nearly every year since, amounting to as many as 14 incidents of "take."[36] The stress of such pursuits disrupts ocelots' behaviors and compromises their survival and reproduction and undermines federal recovery efforts. The Arizona Game and Fish Commission has a responsibility to manage wildlife in compliance with federal law, including the ESA. Allowing hounds to roam freely in regions known to support endangered ocelots is incompatible with this mandate. Prohibiting hounding in areas supporting endangered species is essential to protect these animals and uphold ethical wildlife management practices.

Jaguars and ocelots can seek refuge in trees or rocky outcrops when such structures are available. However, even if they find an escape route, their lung capacity is far outmatched by that of

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[30] Defenders of Wildlife, *Hunting and Mexican Gray Wolf Recovery* (2020), https://defenders.org/sites/default/files/2020-07/hunting-and-mexican-gray-wolf-recovery-factsheet.pdf.

[31] Arizona Game and Fish Dept., *Heritage Data Management System: Animal Abstract for Leopardus pardalis* (2010).

[32] Elizabeth Gamillo, *Rare Ocelot Caught on Camera in Arizona, the First Sighting in Its Area for 50 Years*, Smithsonian Magazine (Aug.16, 2024) https://www.smithsonianmag.com/smart-news/rare-ocelot-caught-on-camera-in-arizona-the-first-sighting-in-its-area-for-50-years-180984921/.

[33] Austin Corona, *Rare Ocelot Captured on Trail Camera in Southern Arizona*, Arizona Republic (Oct. 3, 2024), https://www.azcentral.com/story/news/local/arizona-environment/2024/10/03/rare-ocelot-captured-trail-camera-southern-arizona/75499869007/.

[34] U.S. Forest Service, *Coronado National Forest – Huachuca Mountains*, https://www.fs.usda.gov/recarea/coronado/recreation/recarea/?recid=25468 ("Arizona Game and Fish rules and regulations apply on federal land.").

[35] Arizona Game and Fish Dept., *Arizona Ocelot* (undated), https://www.youtube.com/watch?v=xWB1HCP2UWY. *See* also Memorandum from Melanie Culver, Univ. of Ariz., to Managers of the U.S. Forest Serv., U.S. Fish & Wildlife Serv., & Ariz. Game & Fish Dept. (May 14, 2021) (obtained through FOIA request) https://drive.google.com/file/d/1H0QoTvthV4mRpVPvCUvFOnBx9uwjhrE8/view?usp=sharing.

[36] John Leos, *Hounds in Jaguar Country: Petition Ignites Debate over Future of Hunting Dogs in Arizona*, Ariz. Republic (Jan. 13, 2025), https://www.azcentral.com/story/news/local/arizona-environment/2025/01/13/petition-ignites-debate-over-hunting-dogs-in-arizona/77268149007/.

hounds in pursuit and hound handlers may switch out their packs of hounds as they tire to pursue the same target animal..[37] Mexican gray wolves are not able to evade hounds by climbing in any situation.

Under the Endangered Species Act and its regulations, it is generally illegal to "take" listed species. "Take" is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting a listed species.[38] When pursuit-only dog handlers inadvertently set their hounds on a jaguar, Mexican wolf, or ocelot, or when hounds inadvertently pursue a listed species when on the trail of other wildlife, they may illegally "take" the animal under the Act.

In sum, it is practically impossible to prevent pursuit-only hounding within the range of federally protected species from resulting in the "take" of protected wildlife, in violation of the Endangered Species Act. The presence of dog packs in endangered species habitats can cause significant harm, including physical stress, injury, and death from exhaustion or vulnerability, even without direct hunting. Dog packs can disrupt critical behaviors like foraging and hunting, leading to malnutrition, displacement from essential habitats, and potential den abandonment. These impacts reduce reproductive success, fragment home ranges, and undermine species recovery. The Arizona Game and Fish Commission should ban pursuit-only hounding to protect nontarget wildlife, particularly in areas occupied by federally protected jaguars, wolves and ocelots.

E. Pursuit-only hounding Risks Public Safety

Hounding has proven unsafe for people recreating on public lands with their family dogs. Attacks on humans by hounding dogs have occurred numerous times and have resulted in severe injuries. Attacks from hounds are also especially dangerous because they occur in remote areas.

For example, in the Nantahala National Forest, in North Carolina, a pack of about twelve bear-hunting hounds attacked a hiker and her pet dogs.[39] The hiker attempted to fight off the attacking hounds for 45 minutes, suffering numerous bite wounds on her hands and legs.[40]

In another incident, several hikers were "swarmed" and attacked by five hunting dogs while in the Green Mountain National Forest, in Vermont.[41] One of these hikers recalled "bleeding profusely from both hands … screaming at the top of [her] lungs and hoping that the hunters would hear."[42] The hunters did not arrive until about half an hour later and only after the hiker had suffered serious injuries.[43]

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[37] Caleb M. Bryce, Christopher C. Wilmers, and Terrie M. Williams, "Energetics and Evasion Dynamics of Large Predators and Prey: Pumas Vs. Hounds," *PeerJ* 5 (2017). https://peerj.com/articles/3701/.
[38] 16 U.S.C. § 1538(a)(1)(B); 50 CFR § 17.84(k)(5).
[39] Carla Field, *No charges in horrific hunting hounds' attack on hiker, her dogs*, WYFF (Oct. 21, 2014), https://www.wyff4.com/article/no-charges-in-horrific-hunting-hounds-attack-on-hiker-her-dogs/7011212.
[40] *Id.*
[41] Christopher Ross, *Bear-hunting hounds attack hikers and pup*, Addison County Independent (Oct. 31, 2019), https://www.addisonindependent.com/2019/10/31/bear-hunting-hounds-attack-hikers-and-pup/.
[42] *Id.*
[43] *Id.*

In yet another incident, a family and their dog were attacked by a pack of six hunting dogs while hiking on a trail in Hawaii.[44] The family watched as their dog "was being stretched and pulled in two directions" by the hunting dogs.[45] While attempted to protect their pet, one hiker suffered such severe lacerations that she was left unable to use her hands.[46]

Furthermore, while dog attacks can occur in any setting, there are certain features of hounding that increase the likelihood and potential danger of these attacks. First, dogs used for hounding do so in packs, which are more dangerous than individual dogs.[47] Even those that are "individually benign … can become excited and brought to a state of frenzy" when acting as a group.[48] Second, dogs used to hound wildlife are generally off-leash and rarely under the handler's voice control. Thus, in the event of a dog attack, dog handlers may not be able to respond in time to prevent injuries.

Whether injury results from hounds or the wildlife themselves, pursuit-only hounding is a threat to public safety. To protect public safety and allow safe outdoor recreation, the Arizona Game and Fish Commission should ban pursuit-only hounding.

F. Pursuit-only Hounding is Unsporting and Unethical

In recent years, the Arizona Game and Fish Department and Commission has made much needed changes to hunting and pursuit regulations in Arizona to ensure that the principles of fair chase and other hunting ethics are upheld. In 2016 the Department banned the use of drones to locate or assist in the taking of wildlife. In 2019 the Commission voted to ban wildlife killing competitions – contests where participants kill animals for prizes or awards, including prizes for killing the most animals – because such events run afoul of ethical standards held by the public. In 2022, the Commission voted to ban the use of game cameras "to take or aid in the take of wildlife, or locating wildlife to take or aid in the take of wildlife.[49]" The Commission made this decision because it determined that the use of game cameras violates the Fair Chase Doctrine.

According to the Arizona Game and Fish Department:

> Fair Chase is ethical, sportsmanlike and lawful pursuit and taking of free-range wildlife in a manner that does not give a hunter or an angler improper or unfair advantage over such wildlife…It pays respect to the traditions of hunting and angling by emphasizing the development of an individual's skills rather than

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[44] Rick Daysog, *Hiker says hunting dogs along popular trail attacked his family and their dog*, Hawaii News Now (Jan. 3, 2021), https://www.hawaiinewsnow.com/2021/01/03/hiker-says-hunting-dogs-along-popular-trail-attacked-his-family-their-dog/.
[45] *Id.*
[46] *Id.*
[47] Gabriel M. Fonesca & Rocio Palacios, *An Unusual Case of Predation: Dog Pack or Cougar Attack?* 58 J. Forensic Sci. 224, 225–26 (2012).
[48] *Id.*
[49] Ariz. Admin. Code § R12-4-303 available at https://casetext.com/regulation/arizona-administrative-code/title-12-natural-resources/chapter-4-game-and-fish-commission/article-3-taking-and-handling-of-wildlife/section-r12-4-303-unlawful-activities-ammunition-devices-and-methods.

> reliance on practices or technologies that overwhelm the quarry's ability to elude detection or take.[50]

Similarly, the Commission banned the use of "smart devices," which include "any device equipped with a target-tracking system," to take wildlife.[51] These bans are consistent with the Commission's practice of "monitor[ing] and giv[ing] careful consideration to the fair chase implications of an emerging or evolving technology or practice."[52] A technology or practice presents a fair chase issue when it "allows a hunter or angler to pursue or take wildlife without being physically present and pursuing wildlife in the field."[53]

Accordingly, a ban should be extended to pursuit-only hounding, which uses dogs – frequently in conjunction with technology like GPS connected to a dozen or more satellites in medium Earth orbit at an altitude of approximately 12,550 miles, and handheld smart devices like smartphones – that allows the dog handler an unfair advantage in the "take" of wildlife. It is that unfair advantage to the hunter that violates the principle of "fair chase."

Arizona Game and Fish defines pursuit as a form of "take," and a central component of the department's definition of Fair Chase is that it is "the ethical, sportsmanlike and **lawful pursuit**…of free-range wildlife in a manner that does not give a hunter or an angler improper or unfair advantage over such wildlife" (emphasis added). Improper or unlawful "take" does not require a hunt or the death of the target species.

Surveys have demonstrated lack of public support for hounding, and even many hunters condemn hounding as unsportsmanlike and unethical.[54] Public support for hunting is at its lowest when hunters use high-tech gear, such as trail cameras that ping a hunter's smart phone when an animal is detected or smartphones that track dogs in pursuit of wildlife, because such technology gives the hunter an unfair advantage.[55]

Pursuit-only dog handlers employing GPS systems to track and take wildlife are not upholding Fair Chase principles. The same is true for handheld smart devices used alongside radio telemetry collars.

Bloody interactions between the hounds and the wildlife are commonplace. Smaller animals like racoon, bobcat, coyotes, and foxes that either cannot outrun the hounds or climb trees to escape

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[50] Arizona Game and Fish Dept., *Hunt Hard, Hunt Fair*, https://www.azgfd.com/hunting/hunt-draw-and-licenses/fair-chase/.
[51] Ariz. Admin. Code §§ R12-4-301, R12-4-303.
[52] Arizona Game and Fish Dept., *Fair Chase*, https://www.azgfd.com/hunting/hunt-draw-and-licenses/fair-chase/.
[53] *Id.*
[54] Humane Society of the United States, *Facts about bear hounding, baiting and springtime hunting*, https://www.humanesociety.org/resources/facts-about-bear-hounding-baiting-and-springtime-hunting.
[55] Responsive Management & National Shooting Sports Foundation. (2023). *Americans' attitudes toward hunting, fishing, sport shooting, and trapping: 2023 survey report.* Responsive Management. https://www.outdoorlife.com/wp-content/uploads/2023/07/06/Americans-Attitudes-Survey-Report-Final-June-2023-FULL-REPORT-1-1.pdf.

are often cruelly mauled after being chased by the dogs. Disturbing videos of hound dogs tearing apart wildlife are commonplace on social media.[56]

Pursuit-only hounding – where hounds are allowed to chase wildlife but the hunter does not kill the cornered animal – is very harmful for wildlife. Especially during hot weather, such pursuits cause severe physical stress. Because of their thick fur and fat layer, bears can die of heat exhaustion or experience miscarriages. [57] Plus, wildlife expend energy evading the dogs that should be used for survival.[58] As such, impacts to pursued animals can be severe, even if the houndsman releases them following the chase.

Hounding is also a cause of injury and mistreatment of hunting dogs. Animal welfare organizations and others have documented instances of injury, stress, abandonment, and even fatal encounters that demonstrate the inhumane treatment of hounds used for hunting and pursuit of wildlife. For example, government data gathered in Wisconsin shows that numerous dogs every year suffer injury or death while being used to pursue bears, bobcats, and coyotes.[59] Dogs are sometimes starved to increase their prey drive. There is a significant and consistent pattern of harm to dogs, including physical injuries, abandonment of underperforming or injured dogs, chronic health complications due to exhaustion, dehydration, and selective breeding.[60]

G. The Broader Consequences of Using Packs of Dogs

Mountain lions, black bears, and mesopredators like racoons play essential roles in maintaining ecological balance within Arizona's ecosystems.

As apex predators, mountain lions control herbivore populations, preventing overgrazing and fostering plant diversity. Mountain lion caches—the location where a mountain lion stores its prey after a kill—serve as ecological hubs, exhibiting more connections to other species than any other documented carnivore [61] and provide provisions for their own cubs, are shared socially with other mountain lions, and provide food for a range of scavengers from bears and coyotes to beetles and ultimately mushrooms and microbes.[62] Black bears contribute to seed dispersal and

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[56] Humane Society of the United States, *Coyote Shot and Attacked by Hunting Dogs*, YouTube, uploaded June 12, 2014, available at https://www.youtube.com/watch?v=KaKHUfKkWEc.

[57] Beck et al., "Sociological and Ethical Considerations of Black Bear Hunting."

[58] Bryce, Wilmers, and Williams, *Energetics and Evasion Dynamics of Large Predators and Prey: Pumas vs. Hounds*, *PeerJ* (2018), https://peerj.com/articles/3701/.

[59] Adrian Treves & Laura Menefee, *Adverse effects of hunting with hounds on participants and bystanders*, BioRxiv https://www.biorxiv.org/content/10.1101/2022.08.16.504031v4.

[60] Dana Gentry, *Coyote killing contests, ban on bear hounding before Wildlife Commission,* Nevada Current (Mar 19, 2021), https://nevadacurrent.com/2021/03/19/coyote-killing-contests-ban-on-bear-hounding-before-wildlife-commission/.

[61] LaBarge, L. R., Evans, M. J., Miller, J. R. B., Cannataro, G., Hunt, C., & Elbroch, L. M. (2022). Pumas *Puma concolor* as ecological brokers: a review of their biotic relationships. *Mammal Review*, *52*(3), 360–376. https://doi.org/10.1111/mam.12281.

[62] Elbroch, L. M., & Quigley, H. (2002). Social interactions in a solitary carnivore. *Current Zoology*, *63*(4), 357–362. https://doi.org/10.1093/cz/zow080; *see* also Allen, M. L., Elbroch, L. M., Wilmers, C. C., & Wittmer, H. U. (2015). The Comparative Effects of Large Carnivores on the Acquisition of Carrion by Scavengers. *The American Naturalist*, *185*(6), 822–833. https://doi.org/10.1086/681004; *see* also Elbroch, L. M., O'Malley, C., Peziol, M., & Quigley, H. B. (2017). Vertebrate diversity benefiting from carrion provided by pumas and other subordinate, apex

nutrient cycling, supporting diverse plant and animal communities. When apex predators are harassed by hounds, it can trigger a trophic cascade—a domino effect in the ecosystem that can lead to an overabundance of prey species and alter vegetation dynamics.

Mesopredators regulate smaller prey populations, creating a balanced food web that sustains biodiversity. Mesopredators avoid areas frequented by hounds. Their displacement disrupts their interactions with smaller prey and can create an unnatural rise or fall in certain prey populations, which may lead to overgrazing or habitat degradation.[63]

Hounds used for pursuit pose significant risks to ecological balance by disrupting populations of predators, mesopredators and nontarget species, altering population densities and the behavior of nearly all native species in an area. Wildlife responds variously to the presence of dogs by fleeing, increasing vigilance, and changes in habitat use.[64] Because wildlife must balance avoiding potential threats with essential activities such as feeding and seeking mates, disturbances from dogs can lower their overall fitness. Such disruptions may interfere with optimal foraging, parental care, or mating opportunities.[65] Changes in predator or prey behaviors can affect plant communities and other organisms within the ecosystem. For example, if herbivore populations increase due to predator displacement, overgrazing may reduce plant cover and diversity, affecting soil health, water retention, and availability of food and shelter for other species.

III. CONCLUSION

The use of dogs in the recreational pursuit of mountain lions, black bears, and racoons presents significant ecological, ethical, and public safety challenges that warrant its prohibition. Dog packs in pursuit of wildlife disrupts ecosystems by altering predator-prey dynamics and causes undue stress and harm to nontarget and endangered species such as jaguars, ocelots, and Mexican wolves. The practice, which utilizes technology like GPS or radio collars, as well as satellites and smartphone apps and other handheld smart devices to pursue wildlife from a distance, is unsportsmanlike and unlawful, providing hunters an unfair advantage over wildlife and contributing to cruel outcomes for both the targeted animals and the dogs themselves. To protect Arizona's wildlife, maintain ecological balance, uphold public safety, and ensure ethical practices, we urge the Arizona Game and Fish Commission to ban recreational pursuit-only hounding statewide.

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felids. *Biological Conservation, 215*, 123–131. https://doi.org/10.1016/j.biocon.2017.08.026; *see* also Barry, J. M., Elbroch, L. M., Aiello-Lammens, M. E., Sarno, R. J., Seelye, L., Kusler, A., Quigley, H. B., & Grigione, M. M. (2019). Pumas as ecosystem engineers: ungulate carcasses support beetle assemblages in the Greater Yellowstone Ecosystem. *Oecologia, 189*(3), 577–586. https://doi.org/10.1007/s00442-018-4315-z.

[63] Frid, A., & Dill, L. M. (2002). Human-caused disturbance stimuli as a form of predation risk. *Conservation Ecology, 6*(1), 11. https://doi.org/10.5751/ES-00404-060111; *see* also Arielle Waldstein Parsons et al., "The Ecological Impact of Humans and Dogs on Wildlife in Protected Areas in Eastern North America," Biological Conservation 203 (2016): 75-88, https://doi.org/10.1016/j.biocon.2016.09.001.

[64] *Ibid.*

[65] Beale, C. M. (2007). The behavioral ecology of disturbance responses. *International Journal of Comparative Psychology, 20*(2), 111-120; *see* also Beale, C. M., & Monaghan, P. (2004). Human disturbance: People as predation-free predators? *Journal of Applied Ecology, 41*(2), 335-343. https://doi.org/10.1111/j.0021-8901.2004.00900.x.

R12-4-602 PETITION PACKET

Petition For Rule or Review of Practice or Policy

Arizona Game and Fish Department, Director's Office

5000 W. Carefree Hwy, Phoenix, Arizona 85086

If you have any questions, please contact the Department's Rules and Risk Section by telephone at (623) 236-7390 or by email at rulemaking@azgfd.gov

P

PETITION FOR RULE OR REVIEW OF PRACTICE OR POLICY

The requirements for requesting the Arizona Game and Fish Commission to adopt, amend, or repeal a Commission rule or review a current practice or substantive policy statement are detailed in R12-4-602 of the Arizona Administrative Code (included in this packet, see page 5).

This packet is provided by the Arizona Game and Fish Department to assist petitioners in completing petitions in accordance with 12 A.A.C. 4, Article 6.

Please check all applicable boxes and complete all applicable parts.

Failing to complete all applicable portions of this form may result in your petition being rejected and returned to you.

Only one rule, practice, or substantive policy may be addressed in a petition.

Statistical data and/or a list of other persons who are likely to be affected by the review or rulemaking action, with an explanation of the likely affects, may be attached.

If you have any questions about this form or the petition process, please contact the Department's Rules and Risk Section by telephone at (623) 236-7390 or by email at rulemaking@azgfd.gov

The original petition should be mailed or delivered to:

Arizona Game and Fish Department, Director's Office
5000 W. Carefree Hwy
Phoenix, Arizona 85086

Identification of Petitioner

☐ **Petitioner is a private person:**

Name:

Telephone number:

Email:

Physical address:

Mailing address (if different):

☒ **Petitioner is an organization or private group:**

Group or organization name: Center for Biological Diversity

Representative's name and title: Russ McSpadden, Southwest Conservation Advocate

Representative's telephone: (928) 310-6713

Representative's email: rmcspadden@biologicaldiversity.org

Physical address: 378 N. Main Ave
Tucson, AZ 85701

Mailing address (if different):

☐ **Petitioner is a public agency**

Public agency name:

Representative's name and title:

Representative's telephone:

Representative's email:

Physical address:

Mailing address (if different):

Type of Request

☒ **This request is for a rulemaking action (adopt, amend, or repeal.** Provide the heading and specific rule language in the space provided below.

☐ **This request is for review of an existing agency practice or substantive policy statement that the petitioner alleges to constitute a rule as defined under A.R.S. § 41-1001.** Provide a brief description of the practice or substantive policy statement in the space provided below.

☐ **Summary of issues raised in any public meeting or hearing regarding the petition or any written comments offered by the public.** Provide the summary of issues or written comments in the space provided below.

Section R12-4-318 - Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles

AZ Admin Code R 12-4-318 (C)

(If necessary, you may attach additional pages to this Petition)

Reason for Petition

1. Justification or rationale in support of the petition:

The Arizona Game and Fish Commission should ban pursuit-only hounding to protect wildlife and promote hunting consistent with principles of fair chase.

PLEASE SEE ATTACHED DOCUMENT FOR FULL JUSTIFICATION

Signature and Date

Printed name of private person or representative

2/04/2025

Signature of private person or representative

Date

R12-4-602. Petition for Rule or Review of Practice or Policy

A. A person may petition the Commission under A.R.S. § 41-1033 for a:
1. Rulemaking action relating to a Commission rule, including making a new rule or amending or repealing an existing rule; or
2. Review of an existing Department practice or substantive policy statement alleged to constitute a rule.

B. To act under A.R.S. § 41-1033 and this Section, a person shall submit a petition form to the Arizona Game and Fish Department, Director's Office, 5000 W. Carefree Highway, Phoenix, AZ 85086. The form is available at any Department office and on the Department's website.

C. A petitioner shall address only one rule, practice, or substantive policy in the petition.

D. A petitioner shall submit the petition form to the Arizona Game and Fish Department, Director's Office, 5000 W. Carefree Highway, Phoenix, AZ 85086. The petition form is furnished by the Department and is available at any Department office and on the Department's website. A petitioner shall provide all of the following information:
1. Petitioner identification:
   a. When the petition is submitted by a private person, the person's:
      i. Name;
      ii. Physical and mailing address, if different from the physical address;
      iii. Contact telephone number; and
      iv. Email, when available;
   b. When the petition is submitted by an organization or private group;
      i. Name of organization or group;
      ii. Name and title of the organization's or group's representative;
      iii. Physical and mailing address, if different from the physical address;
      iv. Representative's contact telephone number; and
      v. Email, when available;
   c. When the petition is submitted by a public agency;
      i. Name of the public agency;
      ii. Name and title of the agency's representative;
      iii. Physical and mailing address if different from the physical address;
      iv. Representative's contact telephone number; and
      v. Email, when available;
2. Type of request:
   a. Adopt, amend, or repeal a rule, or
   b. Review of a practice or substantive policy statement;

3. When the petition is for rulemaking action:
   a. Statement of the rulemaking action sought, including the *Arizona Administrative Code* citation of all existing rules, and the specific language of a new rule or rule amendment; and
   b. Reasons for the rulemaking action, including an explanation of why an existing rule is inadequate, unreasonable, unduly burdensome, or unlawful;
4. When the petition is for a review of an existing practice or substantive policy statement:
   a. Subject matter of the existing practice or substantive policy statement, and
   b. Reasons why the existing practice or substantive policy statement constitutes a rule;
5. When the petitioner is a public agency, a summary of issues raised in any public meeting or hearing regarding the petition or any written comments offered by the public.
6. Any other information required by the Department;
7. Petitioner's signature; and
8. Date on which the petition was signed.

E. In addition to the requirements listed under subsection (D), a person may submit supporting information with a petition, including:
1. Statistical data; and
2. A list of other persons likely to be affected by the rulemaking action or the review, with an explanation of the likely effects.

F. When a petitioner submits a petition that addresses the same substantive issue considered by the Commission within the previous year, the petitioner shall also provide an additional written statement that includes rationale not previously considered by the Commission in making the previous decision.

G. The Department shall determine whether the petition complies with this Section within fifteen business days after the date on which the petition was received.
1. If the petition complies with this Section
   a. The Department shall place the petition on a Commission open meeting agenda.
   b. The petitioner may present oral testimony at that open meeting under R12-4-604.
   c. The Commission shall render a final decision on the petition as prescribed under A.R.S. § 41-1033.
2. If a petition does not comply with this Section:
   a. The Director shall return the petition to the petitioner, and
   b. Indicate in writing why the petition does not comply with this Section. The petitioner shall be afforded the opportunity to resubmit a corrected petition.