

Dear members of the Senate Natural Resources Committee, I have read Stephanie Tucker's written testimony and would like to provide additional comments on that testimony.

First, I will say that I know Stephanie Tucker and have a great amount of respect for her but I disagree strongly with many of her comments. The statement that night hunting goes beyond fair chase in one of those comments. Night hunting requires the very same skills it takes to be successful during the day. You still must attract an animal within ethical shooting range, identify that animal, and make a clean shot. The only increased opportunity night hunting gives the hunter is that most predators are more active at night so there may be a greater likelihood an animal will respond, but again, we are talking about predators that the Game and Fish Department also gets comments about in regard to their high numbers and the impact those predators have on other game animals. There have been calls for bounties on coyotes in the past and there is little doubt they impact deer and upland game populations which are the most highly sought after hunting opportunities in North Dakota.

With regards to mountain lions and bobcats. Mountain lions have a harvest cap. That cap has not been reached for several years so the harvest of an additional animal or two during a night hunt should have no effect on mountain lions as that harvest is capped. A few years ago Game and Fish started allowing hunting of mountain lions with dogs. That has a much more significant effect on hunter success than hunting at night would. Bobcats do not have a harvest limit. However, I expect the number of bobcats harvested at night will be low. They are still a very wary animal. The use of cable devices and foot hold traps has a much larger impact on harvest than night hunting would and these activities are currently allowed.

Her comment that shooting coyote outside the prime fur season is a waste of a fur resource also lacks validity. The season on coyotes is currently open year-round, just not at night. One of the reasons I would like to see this season expanded is for the allowance to take coyotes during the mid-October to end of November time frame. Coyote fur is prime during this time period and furs are in the very best shape they will be in all year. The coyotes harvested during that time period typically bring the best prices and there should be an opportunity to harvest them during that time frame.

As I stated in my previously submitted testimony, I was a Game Warden for 19 years. I don't believe there will be a substantial increase in illegal activity associated with an expanded night season. Raccoon and beaver night hunting is currently allowed during all of the seasons of concern pointed out by Ms. Tucker and I would challenge Game and Fish to show any cases where that has led to enforcement conflicts or hunter conflict during those seasons. My additional reasons for that belief are included in my first written comments.

Finally, to address the issue of increased mortality of protected species. I would question how experienced the night hunters were that were used to find that mountain lion in SE North Dakota. There may be some difficulty in making the distinction between a fox and a coyote but I will guarantee you if a mountain lion came in while I was calling coyotes there would be no difficulty in telling the difference between that and a coyote or fox. I can provide the Committee with video footage that would allow you to see what I see if the Committee would like. There would be difficulty in telling a lynx from a bobcat but when was the last time a lynx has even been documented in North Dakota and would a hunter hunting during daylight hours even know the difference?

This bill would not allow the taking of any furbearer at any time of the year. It would only allow night hunting for furbearers and non-game animals for which there is an open firearms season and only during that season. What it would do is prevent Game and Fish from doing an end around like what happened after 20.1-01-08 was amended during the last session. Night hunting equipment was made legal during the open season for coyotes, fox, raccoon, and beaver. There was only one season for hunting these species and it was year-round. Game and Fish didn't like the legislation so instead of complying with new provisions they declared a separate night hunting season for coyote and fox to restrict that activity. However, that was not done until the second year after the law was changed and was only done after I informed Jeb Williams that what they were doing was in conflict with state law.

Whenever we change something to allow a new activity there is always an increased paranoia with what other doors this will open up. I would encourage Game and Fish and this Committee to look at opportunities to encourage individuals to get outdoors and enjoy our natural resources as opposed to coming up with a bunch of "what ifs", so I will again urge you to vote DO Pass on this piece of legislation.

Thank You