

# Petition to create a Carnivore Conservation Act in Massachusetts

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## Executive Summary

This document, the MA Carnivore Conservation Act, will:

- 1) Promote the welfare of carnivores by prohibiting cruel and inhumane hunting practices.** *This includes:* Prohibiting penning of wildlife for purposes of training dogs or as spectator sport; Prohibiting hounding (i.e., using dogs to chase) carnivores; Extending the provisions of the MA anti cruelty laws to wild carnivores.
- 2) Promote a fair-chase hunting ethic of carnivores.** *This includes:* Prohibiting baiting for purpose of killing carnivores; Prohibiting shooting carnivores from inside a home or building; Prohibiting night hunting; Prohibiting the use of electronic calls.
- 3) Require scientifically valid carnivore management practices that serve a legitimate management purpose/objective/goal.** *This includes:* Prohibiting wildlife killing contests or predator derbies; Creating a quota for carnivores; Requiring the purchase of a carnivore hunting tag and creation of a minimum fee for hunting carnivores; Creating a ‘Carnivore Conservation Stamp’ for non-hunters and wildlife watchers to purchase; Reduce season hunting lengths; Establishing no hunting refuges on state and federal park and forest lands; Mandating training for wildlife specialists that “remove” carnivores for management purposes; Requiring good animal husbandry practices to prevent carnivore livestock conflicts; Creating a wanton waste provision for carnivores similar to other game species.
- 4) Require the use of current and best available science in wildlife management decisions of carnivores. This involves abandoning principles that support the maximum utilization or killing of carnivores and requires accounting for the ecological importance of carnivores in fully functioning and robust ecosystems and recognizing their innate social and family structures.** *This includes:* Obtaining scientific research permits without political interference; Recognizing and identifying eastern coyotes also as “coywolves” (*Canis latrans* x *C. lycaon*) in order to recognize their mixed species (western coyote x eastern wolf) background; Creating a carnivore conservation biologist position to focus on non-lethal management objectives for carnivores and to study and promote tolerance of carnivores.

## **Petition Abstract:**

Carnivores are animals that need to eat meat to survive and obtain food by killing and eating other animals. Carnivores are an intrinsic component of healthy ecosystems. Many species of carnivores inhabit Massachusetts including members of the Mustelidae (weasel), Canidae (dog), Felidae (cat), Mephitidae (skunk), Procyonidae (raccoon), Phocidae (seal), and Ursidae (bear) families. This petition provides the basis *for a referendum vote* to create a ***Carnivore Conservation Act*** in MA to give some of the more maligned carnivore species additional protections and to have management practices (i.e., hunting seasons) better adhere to the *North American Model of Wildlife Management's principle that wildlife should only be killed for a legitimate purpose*.

The Carnivore Conservation Act builds upon the protections included within the ***Wildlife Protection Act of 1996*** that eliminated body-gripping traps for furbearing species and hounding and baiting for bears and bobcats. However, the 1996 act neglected key protections for some of Massachusetts most charismatic carnivores including eastern coyotes/coywolves, red and grey foxes, bobcats, and other carnivores, some of which may establish future populations in MA, such as wolves and cougars/mountain lions. The Carnivore Conservation Act will protect these ecologically important animals from inhumane, outdated practices that persist to this day in Massachusetts. The petitioners contend that MA wildlife laws, as they pertain to carnivores, do not reflect the attitudes of a majority of MA residents, who believe that carnivores deserve better protections from excessive, cruel and unnecessary hunting practices. The petitioners recognize that healthy carnivore populations are the cornerstone of a balanced ecosystem. MA residents indicated their support to protect wildlife from cruelty by passing the *Wildlife Protection Act of 1996* referendum by 2 - 1. This petition aims to gather similar support to protect carnivores under the umbrella of a Carnivore Conservation Act and provides the basis for a new paradigm in managing wild carnivores that is based in acceptance, tolerance, and coexistence. Petitioners believe that wildlife are public trust resources that belong to all of the residents of MA and that management of carnivores must be based on sound science instead of politics driven by fear, hate, intolerance, or bias.

### **Provisions of Proposed MA Carnivore Conservation Act**

*This petition provides for sustainable, ecologically sound management practices, and humane treatment of the following carnivore species: Eastern Coyotes (Coywolves), Red and Gray (Grey) Foxes, Bobcats, and Black Bears, and potential future populations of Wolves (Gray Wolves and/or Eastern Wolves) and Cougars (also called Mountain Lions or Pumas) in Massachusetts.*

#### **The Carnivore Conservation Act will contain the following provisions:**

- 1) Promote the welfare of carnivores by prohibiting cruel and inhumane hunting practices.**
  - a) *Whereas capturing, transporting and penning live predators or other wildlife is ecologically unsound and inhumane, the MA Carnivore Conservation Act prohibits penning wild carnivores for the purposes of training hunting dogs and prohibits the*

hosting or spectating at any “sporting event” in which a live carnivore is trapped, penned, chased by dogs, injured or killed.

- b) *Whereas hounding (the chasing of wildlife by hunting dogs or packs of dogs) of wildlife causes extreme stress to wildlife and places hunting dogs and wildlife at risk of death or injury from encounters, the MA Carnivore Conservation Act will prohibit hounding of all listed carnivores as well as raccoons. This provision will prohibit the hunting of all listed carnivores with hunting dogs singly or in packs, and will also prohibit the training of dogs to hunt or kill carnivores in other states. The only use of hounding will be for scientific research to safely and humanely tree and capture (usually through darting) cat species and black bears for scientific research.*
- c) *Whereas Massachusetts defines anti-cruelty under MA state law 272 § 772, the MA Carnivore Conservation Act extends the provisions of that act and makes it illegal to torture or maim all listed carnivores as well as raccoons. The Act will amend MA State law 272 § 77 by specifically including wildlife in the anti-cruelty provisions. This provision will prohibit the clubbing, stomping, strangling, stabbing, or torture of hunted or trapped wildlife. Furthermore, torture or maiming to be defined as universally recognized acts of cruelty, and/or to include those acts that are prohibited by MA anti-cruelty laws MA State law 272 § 77. Anyone found guilty of torturing or maiming coyotes, red and grey foxes, bobcats, black bears, or other carnivores will be subjected to the same fines and penalties imposed on MA residents under MA State law 272 § 77.*

## **2) Promote a fair-chase hunting ethic of carnivores.**

- a) *Whereas baiting (feeding) of carnivores is a leading cause of human and wildlife conflicts and unfairly attracts wildlife to be killed, the MA Carnivore Conservation Act will make it illegal to bait the listed species for the purpose of hunting and killing them. In many jurisdictions and states feeding wild animals is illegal, so why is it legal to lure them with bait to kill them? Most biologists agree that baiting or feeding carnivores and other wild animals is a leading cause of human and wildlife conflicts and that baiting animals to kill them is not considered fair-chase hunting. While the *Wildlife Protection Act of 1996* eliminated hunting bears and bobcats over bait, it does not include coyotes, red and grey foxes, and other carnivores such as wolves and cougars that may repopulate the state. It is time to address this oversight and allow the only legitimate use of baiting to be the facilitation of valid scientific research.*
- b) *Whereas it is currently legal to bait in, shoot and kill carnivores from private residences under certain conditions (see Massachusetts General Laws Chapter 269 SECTION 12E, and Chapter 131 SECTION 58), the MA Carnivore Conservation Act will amend those laws and prohibit shooting eastern coyotes and other carnivores from a home for recreational purposes. It is currently legal to bait in and shoot predators from private residences, provided the shooter is 500 feet from another house and/or has that nearby landowner(s) consent. Under the Carnivore Conservation Act, a hunter would need to be at least 500 feet from a permanent structure (including the hunter’s own house) to shoot and kill a carnivore, unless the carnivore is an imminent danger to people.*
- c) *Whereas most carnivores avoid people by being active at night to survive human presence, and night hunting is considered by many to provide unfair advantages and is currently legal, the MA Carnivore Conservation Act prohibits night hunting of all listed carnivores. Night hunting is defined as hunting at any time beginning 20 minutes after sunset and*

ending 20 minutes before sunrise. This provision is intended to protect human safety and to prevent illegal poaching activities as well as to promote fair-chase hunting ethics.

- d) *Whereas electronic calls and devices unfairly lure wild animals to hunters, the MA Carnivore Conservation Act prohibits electronic calls or devices to attract all listed carnivores for the purposes of killing them. Electronic calls are not fair chase.*

**3) Require scientifically valid carnivore management practices that serve a legitimate management purpose/objective/goal.**

- a) *Whereas wildlife killing contests or predator “derbies” are ecologically destructive, inhumane, and serve no valid management objective, the MA Carnivore Conservation Act prohibits predator or carnivore killing derbies/contests. The Act also prohibits establishing bounties, where hunters are paid or given prizes or rewards to kill wild carnivores.* Petitioners also contend that wildlife killing derbies and contests support a culture of violence that is impermissible in the context of the recent violent mass killings that have taken place nationwide.
- b) *Whereas carnivores are not eaten and there is no quota on the number of carnivores that may be killed by hunters with a valid hunting license, the MA Carnivore Conservation Act creates a quota or bag limit of one per species, per season, per hunter of eastern coyote (coywolf), red fox, grey fox, bobcat, black bear, and potential future populations of wolf and cougar/mountain lion in MA and provides for a limit on the total number of animals to be killed each season.* Currently anyone with a hunting license may kill an unlimited number of coyotes, red and grey fox, or bobcat anytime and anywhere for up to six months a year depending on the species. Requiring a quota will make hunting laws for carnivores similar to the laws for most other game species like deer. Furthermore, all hunters will check in whole bodies of dead animals to check stations within 24 hours of kill so that weight and morphometrics (like length) can be recorded and genetic samples can be taken. The current regulations, for instance, allow the killing of a coyote as early as October but do not require tagging until after the hunting season ends in mid-March. This makes it almost impossible to know how many coyotes are killed in a given year until well after the hunting season ends.
- c) *Whereas other game species are hunted under a fee-based system the MA Carnivore Conservation Act creates a minimum fee for hunting listed carnivore species that is in line with fees charged to hunters for the right to hunt other species.* Hunters will be required to purchase a **\$25 “Carnivore Hunting tag”** in order to hunt for a quota maximum of 1 of each listed species per hunting season set as December 15 to January 14. MA Division of Fisheries and Wildlife or state legislators can raise but not lower the fee. Fees will be distributed as described in section 3.d (directly below).
- d) *Whereas non hunters express a desire to have a say in wildlife management and there is currently little contribution from non-hunters to fund wildlife management this provision will create a ‘**Carnivore Conservation Stamp**’ for people to purchase.* It will be set at \$10 and can only be raised, not lowered, as per 3.c. Non-residents will be allowed to purchase a stamp at the same cost of MA residents. A carnivore(s) has to be pictured on each stamp. One-third of the proceeds from 3.c and 3.d will fund non-lethal attempts at coexistence with pets/livestock (i.e., purchasing livestock guarding dogs, fencing) and reimbursement animals; another third will be dedicated to studying carnivores with funds directly contributing to carnivore research in MA; the final third will fund carnivore conservation

biologists whose job is to study carnivores and assist with non-lethal attempts at coexistence. This Carnivore Conservation stamp addresses the fact that wildlife watchers contribute an order of magnitude more to the economy of MA but are frequently denied a voice in wildlife management based on lack of ability to contribute to funding.

- e) *Whereas carnivores are hunted in lengthy seasons that overlap important biological periods, the MA Carnivore Conservation Act creates a hunting season for eastern coyotes, red and grey foxes, and bobcats that will be shortened from up to 6 months to 1 month from December 15<sup>th</sup> to January 14<sup>th</sup>. A hunting season from December 15<sup>th</sup> through January 14<sup>th</sup> will protect carnivores during important biological seasons such as their reproductive cycles. It will also close before females are too close to giving birth which occurs in mid/late March to early April in MA for fox and coyotes.*
- f) *Whereas hunting and trapping of carnivores is generally permitted in many state forests and parks, national wildlife refuges, and federal (national) forests and national parks/seashores without any regard for the treatment of these animals, the ecological impacts of their removal, or the desires of MA citizens, the MA Carnivore Conservation Act provides a prohibition of hunting and trapping of all listed carnivore species in all state forests, state parks, national wildlife refuges, federal (national) forests, and national parks/seashores in Massachusetts. This provision is necessary to provide opportunities for biologists to track and study these animals as undisturbed populations and to provide opportunities for wildlife watchers to view and enjoy unhunted wildlife. Furthermore, providing protected sanctuaries for carnivores will allow these predators to fulfill their biological roles as part of intact fully-functioning ecosystems. Finally, establishing protected zones for carnivores may help stabilize populations. For example, hunting and random killing of coyotes, who mate for life and rear their young together in packs, disrupts and destabilizes coyote populations often increasing reproduction and thereby leading to temporary, localized inflated populations.*
- g) *Whereas wildlife agents are often the first individuals to respond to reports or complaints about carnivores, the MA Carnivore Conservation Act provides a requirement to ensure that Licensed Animal Control Agents complete wildlife certification and training to ensure they conduct their duties professionally and lawfully. Pursuant to current MA Department of Fisheries and Wildlife regulations, Licensed Problem Animal Control Agents (PAC) must complete a wildlife and certification and training course. PAC Agents may only kill a carnivore at a private residence if the animal is causing documented property damage and/or is a documented public safety threat, and where non-lethal aversion and/or removal tactics have already been attempted without success. As with other wildlife, carnivores may not be destroyed simply due to their mere presence on a property*
- h) *Whereas Massachusetts General Law Chapter 131, Section 37 allows livestock owners to kill predators because of perceived risk, the MA Carnivore Conservation Act will amend the law and protect listed carnivore species by allowing a 1 time lethal use for carnivores in process of attacking livestock on a given property with immediate reporting of the take; following (or proactively before) attacks, property owners will have to seek non-lethal means with potential support from funds from 3.d and 3.e. Farmers will be required to use good animal husbandry practices, including but not limited to, the use of guard animals, protection for new born animals, proper fencing and or fladry, and proper disposal of carcasses. Where evidence of non-lethal attempts to avoid predation (such as penning sheep, use of guard dogs or other guard animals, cleaning up after births, etc.) is noted, then*

permission to use lethal methods of removal may be granted after documented damage occurs or when a carnivore is in the process of depredated livestock. Funding from 3.d and 3.e will attempt to proactively (i.e., before any losses) or reactively (i.e., after a depredation) fund livestock owners on non-lethal means of coexistence.

- i) *Whereas the state of Massachusetts provides a wanton waste provision to prevent abuse and waste to other game species, the MA Carnivore Conservation Act creates a wanton waste provision for all carnivores. Under this provision, all listed carnivores (as well as raccoons) that are killed or crippled in a legal hunting season, as described in the above provisions, shall be retrieved immediately if possible, killed humanely, and retained by the hunter. This wanton waste provision is to be based on similar provisions for hunting of Migratory Birds and will prohibit someone from shooting and not retrieving a dead animal. For further information, see:  
[http://www.mass.gov/dfwele/dfw/regulations/abstracts/migratory\\_bird\\_regs.pdf](http://www.mass.gov/dfwele/dfw/regulations/abstracts/migratory_bird_regs.pdf).*

**4) Require the use of current and best available science in wildlife management decisions of carnivores. This involves abandoning principles that support the maximum utilization or killing of carnivores and requires accounting for the ecological importance of carnivores in fully functioning and robust systems and recognizing their innate social and family structures.**

- a) *Whereas wildlife management relies on sound science derived through biologists engaged in studying carnivores or other wildlife, the MA Carnivore Conservation Act will enable appropriate and qualified researchers to apply for and obtain Scientific Research Permits without political interference within 2 weeks of a written request. The Massachusetts Division of Fisheries and Wildlife will grant scientific research permits to anyone providing a valid Institutional Use and Animal Care (IACUC) Protocol from a university/institution OR from an independent scientist(s) providing s/he has a M.S. and/or Ph.D. degree in a related field. This provision is intended to remove agency bias from qualified researchers who are studying controversial animals (i.e., carnivores) that are managed by an agency (Mass Wildlife) that is currently supported mainly from hunter license fees. Research permits will be granted by Mass Wildlife within 2 weeks of written request by the permittee and may be issued for multiple years as stated in the permittee's written request.*
- b) *Whereas the Massachusetts Division of Fisheries and Wildlife now identifies the animal known in Massachusetts as the eastern coyote (*Canis latrans*), the MA Carnivore Conservation Act requires the department to recognize and also identify eastern coyotes as "coywolves" (*Canis latrans x lycaon*) in order to recognize their mixed species (western coyote x eastern wolf) background based on the most recent available science (Way et al. 2010, Way 2013). The eastern wolf (*Canis lycaon*), not the gray wolf (*Canis lupus*), is likely the native wolf that was originally found throughout MA until being extirpated in the 1800s. This wolf is genetically very similar to the coywolf found in MA today. However, for consistency, we refer to the animal as "coyote" throughout this document with the understanding that this animal has many names in northeastern North America, including eastern coyote, coywolf, brush wolf, new wolf, coydog, and northeastern coyote*
- c) *Whereas carnivores have historically been persecuted and subject to a high level of intolerance and the MA Department of Fish and Game does not employ a carnivore conservation biologist, this act will create a position(s) for a carnivore specialist(s) to*

*study carnivores, to integrate non-lethal strategies in management objectives, and to promote education, tolerance and coexistence of carnivores for the purpose of retaining healthy fully functioning ecosystems now and for the future.* Funds will be obtained from 3.d and 3.e. (and potential outside sources) to help fund this position(s).

Who should vote **YES** for this petition:

- Predators like eastern coyotes, red and grey foxes, bobcats, wolves, and cougars are documented to be essential for maintaining ecosystem health yet the state of Massachusetts allows some of these species to be killed in unlimited numbers for up to half the year. Anyone who is interested in promoting fair and humane management of eastern coyotes, red and grey foxes, bobcats, and of potential future populations of cougars/mountain lions or wolves, in preserving a better natural balance for wildlife communities where they occur, and in preventing abuses to them, should vote yes. Those interested in carnivore ecology and better protecting predators should vote yes. Those interested in alternative means to fund wildlife management should vote yes.

Who should vote **NO** for this petition:

- Anyone that wants to maintain the status quo of allowing hunters to kill unlimited numbers of these ecologically important animals for up to half the year with a valid hunting license, including being allowed to use bait, hunt from their house, and to hunt at night. Anyone who does not care about protecting wildlife from cruelty and abuse should vote no.

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## Why is a Carnivore Conservation Act Necessary?



**Above: Hunters with dead red fox (left), eastern coyote (center), and two dead bobcats (right). All were killed for fun or “sport”.**

As a society we have seen great scientific, technological and humanitarian advancements that allow people to live happier, better and longer lives. Yet when it comes to wildlife, our laws are based in medieval presumptions that center on intolerance and killing. Nationally, most wild animals have little if any protection from wildlife abuse. Wild animals are killed by the **millions** using steel leg-hold traps, snares, poisons, guns, rifles, and bows and arrows. Many animals are killed over bait piles. In some states, packs of dogs are used to chase down and tear apart their terrified victims. Most wild animals are subjected to extended hunting seasons that run through their mating and rearing of young seasons. Far too often our federal and state tax dollars are used in programs that are euphemistically entitled “wildlife management” but are actually killing programs that are funded by an unknowing and thus non-consenting public. Wildlife management is often driven by fear, intolerance, ignorance and special interest money that prevent change to outdated, biologically invalid laws.

**Therefore, change must start and persist as a grass-roots movement. Our wildlife is being slaughtered. It is up to us to tell our legislators that we want wildlife laws that do not allow special interests, fear, superstition, and intolerance to override science, evolution, and common decency.**

From a regional perspective, consider our native carnivores. Massachusetts (and the entire Northeast) is home to a hybrid of the western coyote and eastern wolf that scientists call the eastern coyote or “coywolf” as it potentially describes the animal more accurately than “eastern coyote” (Way et al. 2010, Way 2013). Regardless of genetics, these animals are beautiful, highly intelligent and social animals. Coyotes are called America’s song dogs.

Yet, most state governed “wildlife management programs” label coyotes as vermin or nuisance species. As such, the worst treatment is often reserved for them. In MA, “coyotes” (coywolves) may be killed almost half the year (October to March) in unlimited numbers (no bag limit) by anyone who buys a ~\$30 general hunting license. People may open their windows and

shoot them as they cross a yard (if they live 500 feet from another residence), they may place bait near their houses (or elsewhere) and then kill the animal as it approaches the bait. They may even do this at night. In MA, you can also train dogs to run, chase, and then eventually surround coyotes and foxes before they are shot.

A recent study found that coyotes are 100% monogamous and, therefore, remain with the same mate for their lives (Hennessy et al. 2012). Unrelenting hunting and persecution fragments their populations and disrupts their families. No consideration is given to the unique social structure of coyotes and their interdependence on one another (Way 2007). Most biologists agree that unrelenting hunting and persecution not only fragments coyote populations and disrupts their families, but it does not reduce their populations. Hunting coyotes is proven to be ineffective as a management method and perpetuates a vicious cycle of killing and often does not reduce populations in localized areas which is generally the intended reason for control actions in the first place (Way et al. 2009, Way 2010).

Like coyotes, grey and red foxes may also be baited and hunted with dogs. For foxes, there is no limit or quota; they are hunted over many months and through most of the female's gestation period. In Massachusetts, predator hunters may use animal distress calls that imitate injured wildlife to attract carnivores. On investigation by the carnivore, the hunter kills it. Both foxes and coyotes may be tracked and killed by packs of dogs. While bobcats and bears are specifically protected from hounding and baiting due to the 1996 Wildlife Protection Act, some hunters track bobcats through the snow and despite the relatively small population of bobcats in the state they too can currently be hunted and killed with no quota for about 3 months a year.

The most recent scientific peer-reviewed literature warns us that the greatest threat to ecological integrity is presented by a loss of apex predators (Stolzenburg 2008, Ripple and Beschta 2011, 2012). When we lose apex predators like wolves, coyotes, mountain lions, bears and other carnivores, ecosystems suffer from what is termed a "trophic cascade" effect. Quite simply taking out the top predators causes the animals and plants within a particular system to suffer. By relentlessly hunting coyotes, fox, and bobcats we ignore all the collective knowledge that we have gained over centuries from people like Charles Darwin, Rachel Carson and Jane Goodall. Science and its most eloquent advocates have taught us that each and every organism plays a role in nature. Eastern coyotes, foxes, and bobcats fulfill an equally significant role in the ecology of Massachusetts.

As natural habitat in Massachusetts shrinks from human development, skunks, raccoons, foxes, bobcats, and coyotes are forced to live near people in increasing numbers and densities. Yet there are easy ways to coexist with these animals. Learning to live with carnivores, as well as other species, keeps our ecosystems (including urbanized ones) healthy. We enjoy unsurpassed natural beauty and relative open spaces in Massachusetts. It's time we share these luxuries with other wild animals that also live here. The unrelenting killing of carnivores makes Massachusetts less special.

## **Why do we need a change in laws?**

### **Predators are beneficial to ecosystems**

Due to misconceptions and fears about coyotes and predators, many people don't recognize the beneficial aspects that carnivores contribute to our ecosystems. Predators, such as the coyote, serve a valuable function in keeping prey species in balance with their habitat (Stolzenburg 2008). Populations of small animals, such as rodents, could increase out of control

without predators. Coyotes and other predators can reduce the number of small animals that farmers, gardeners, and homeowners consider as pests, such as woodchucks and rodents. Coyotes may even help to control Canada geese and white-tailed deer which can become overabundant in urbanized areas. While predators may change population densities of prey species, they will not eliminate them from the environment. Many scavengers, such as crows and ravens, benefit from the predation of carnivores through increased food availability from leftover carcasses. Many members of the public benefit directly from coyotes and other carnivores through wildlife observation, photography, and other opportunities. *Adapted from [http://www.mass.gov/dfwele/dfw/wildlife/living/living\\_with\\_coyotes.htm](http://www.mass.gov/dfwele/dfw/wildlife/living/living_with_coyotes.htm)*

### **There are a majority of MA residents who do not agree with the current aggressive hunting of native carnivores, yet these voices are ignored**

For example, the Fish and Wildlife department recently (2009) removed the yearly quota of 50 for bobcats in central and western MA despite 91% of respondents opposed to removing the quota. The removal of the quota, in contravention of the majority of the general public's wishes, was done to accommodate a minority hunting group voice. Traditionally trophy hunters are given priority over the majority of voters and over the welfare of wildlife and their ecosystems that depend on carnivores to keep them healthy. See: <http://vleptronz.blogspot.com/2009/12/kill-all-bobcats-you-want-no-limit-in.html>.

### **Many people are unaware of the unsporting, brutal methods that hunters can use to kill carnivores**

Predator or carnivore management ignores the sociality and pack structure of coyotes (Hennesey 2012, Way 2007). Baiting, using dogs, hunting at night, hunting from houses, electronic calls, and no bag limits are all currently legal in MA and are done for recreational hunting purposes. The point of this petition is to make hunting more ethical and, most importantly, to include the viewpoints of the majority of people (99 %) in the state who do not hunt and want more equitable and humane laws to protect carnivores.

### **Prevent hounding of carnivores**

Many people might envision hounding as the "famous" fox hunters in Europe. Packs of dogs are trained to track and chase down a fox, while hunters on horseback (or on foot) follow. If the dogs get to the prey first the defenseless animal may be torn limb from limb, suffering an **excruciating** death. If the hunters on horseback get there first the animal is shot. This supposedly noble sport is now banned in Europe. Not only are we losing wildlife to this cruel "sport" but breeders of hunting dogs will often abandon or kill hunting dogs that do not perform. This **barbaric** activity is currently legal in MA on all carnivores except bobcats and black bears.

### **Ensure Penning is banned forever**

The practice of "penning" occurs across the United States. Penning is a practice we believe should never be permitted or gain a foothold in MA, or elsewhere. Penning begins when trappers catch foxes or coyotes. But the pain and suffering has only just begun once the animal is trapped. When the trapper comes to collect the terrified animal, the victim is crammed into a small cage, maybe on top of another similarly captured fox or coyote, often soaked in its own urine and feces. The animals remain caged for hours - sometimes days, often without food or water, before being transported to a fenced enclosure known as a "hunt pen." The fox and

coyotes are often released into the pens without receiving any medical treatment for their injuries. The fox and coyotes now “belong” to the hunt pen owner. Soon they will hear the terrifying sounds of howling hounds as they are relentlessly pursued under the guise of dog training and competition, but often simply for entertainment. Packs of dogs are released, sometimes hundreds at a time, to chase down their terrorized victims. Judges often score the hounds for their speed, efficiency, persistence, and aggression - the more aggressive the higher the score. Escape shelters are required by law, and occasionally provide a momentary reprieve for the red fox so it can face the same danger and awaiting death of another day. Coyotes may not benefit from the hiding places as they are similar in size to the trailing dogs. All the fear, pain, and stress of the chase eventually comes to an end in a tortuous death when the coyote or fox is torn apart alive by the vicious dogs. Some people see absolutely nothing wrong with hunt pens. One avid supporter in North Carolina wrote, “It's one of the few true family sports, I know of, left.” He went on to say, “When we have one of those events, we have mothers, fathers, grandparents, children attend.” *Restated from a Care 2 petition by Mary Woodrum of Sophia, North Carolina where penning is legal.* Penning is an activity that no civilized society should ever allow. The MA Carnivore Conservation Act will prohibit penning.

### **Prevent Shooting Carnivores over Bait Piles**

Many of the people that kill coyotes kill them over bait piles. Bait piles are piles of food that are deliberately left out to attract unsuspecting and normally shy and elusive animals so they may be killed. Bait piles may be placed anywhere, but often they are placed close to rural homes where the bait is placed a distance from the home. When the animal comes to investigate, it is shot, sometimes, from an open window of a house.

It is unfortunate that people who bait wild animals to kill them often have more rights than scientists who want a stable population to study, or a wildlife watcher that wants to enjoy their presence. Below are two examples of why baiting is included in the MA Carnivore Conservation Act.

#### **Eb:**

The following is quoted from Jon Way of Eastern Coyote Research on [17 December 2011](#). “Depressing and bizarre thirty-six hours after finding out that the coywolf ‘Eb’ is dead. The story begins when I collared her nearly 4 years ago just after my son was born. Thus, my son has grown up his entire life tracking Eb with me. She was a very feisty, somewhat large (41 lbs) gray looking coywolf – and defined (with her looks) why I think eastern coyotes should be called coywolves. I tracked her mostly in the village of Osterville where she paired with a mate in 2008 and had pups in 2009, 2010, and this past summer. She was truly a matriarch of that area and I had the privilege of seeing her hundreds of times in the area, often with her pack (I found her 2320 times so I really knew a lot about her). Now, fast forward to this Thursday (15 Dec. 2011) where I saw her traveling with her mate near route 28 at night. Little did I think that that would be the last time I would see her alive. Yesterday morning I woke up and tracked my collared animals, like normal, and located her and her mate in a swamp in the Wianno Golf Course. It was a totally normal location; they were close to houses abutting the golf course but in a thicket and safe (so I thought) for the day. I did not track them last night but woke up this morning and found them, separated by a couple of miles which is not completely unusual although they are usually together as they mate in mid-January (for a late-March birth).”

It turns out that they were separated because Eb was dead, having been shot over a bait

pile right outside of someone's house, and the other collared animal moved away from the area.

### **Pacha's story:**

Pacha was adopted into a wildlife sanctuary in New York as a young pup after being orphaned. Pacha was raised as part of the family, and acted much like a pet dog. He was tamed and loved as a member of the family as well as being accustomed to going to schools as an ambassador coyote to teach children about coyotes. One evening in 2012, a neighbor "who did not like coyotes" opened the gate to the sanctuary and lured Pacha out of his pen with a deer head, and into a foothold trap. The people who trapped Pacha left him there while they went to find additional recruits (a grandfather and his seventeen-year old grandson) to help kill Pacha. When the grandfather and grandson came back to the trapped coyote Pacha, they beat and stabbed the tame animal to death. Pacha's human "parents" found him mauled and brutalized, while still trapped. The Animal Defense League is investigating this cruelty.

While this event occurred in New York, wildlife abuse is rampant throughout the country with few laws to protect wild animals from excessive cruelty, Killing animals for fun is wrong and torturing animals is wrong. Cruelty to wild animals will occur without strong laws to protect them. Wildlife deserves the same consideration that domestic animals do.

### **Prevent killing contests**

Killing contests are blood sport designed to engage groups of hunters to kill as many animals, often foxes, coyotes, and other predators, as possible within a defined period of time. These derbies or killing contests often hide behind the guise of "helping to manage" an animal. But killing contests encourage a type of depraved serial killing of wildlife where contestants may post hundreds of dead animals. Its way past time to end these barbaric "contests" that teach our children that violence against wildlife is not only defensible but acceptable as a cultural norm.

### **We need protected wildlife viewing areas and areas for wildlife refuges**

Many residents are denied the right to enjoy wild carnivores as part of the natural landscape because they are hunted and killed relentlessly making them difficult to see regularly. In MA in 2006, 73,000 people hunted and generated \$71 Million toward the economy while 1,919,000 people watched wildlife, generating a staggering \$755 M to the state (<http://www.census.gov/prod/2008pubs/fhw06-ma.pdf>). Thus, wildlife watching contributes an order of magnitude more than hunting does to the economy of Massachusetts (U.S. Fish & Wildlife Service 2007, 2012). However, there are currently few designated wildlife watching areas in Massachusetts and most are smaller, private preserves such as Mass Audubon sanctuaries.

## **Living With Carnivores: Tolerance, Coexistence, and Humane Treatment**



### **Preventing Negative Encounters with Wild Carnivores**

*One of the facts about carnivores that make them so interesting is that they often can and do thrive close to humans, and may flourish in suburban/urban areas, even while subsisting on a mostly natural diet of small to medium-sized prey like mice and rabbits. Carnivores require food, water, and cover and have learned to adapt to our environments. For some, this is welcome news. Others may perceive carnivores as a threat. But it is easy to coexist with carnivores like eastern coyotes and foxes. The key is to make your property less attractive to animals to avoid having any problems. Here are some easy tips to follow:*

- 🕒 To discourage coyote, fox or other wild carnivore visits, do not feed or try and tame wild animals. People who think they are being kind by feeding wildlife make it more likely that the animal will become habituated to food and as they try to protect the food source, they may become bold or aggressive. A habituated wild animal, especially a carnivore, often ends up dead. Keep wildlife safe and wild.
- 🕒 Secure your garbage. Foxes or coyotes may raid open trash materials and compost piles. Secure your garbage in tough plastic containers with tight fitting lids and keep in secure buildings when possible. Take out trash when the morning pick-up is scheduled, not the previous night. Keep compost in secure, vented containers.
- 🕒 Keep bird feeder areas clean. Use feeders designed to keep seed off the ground, as the seed attracts many small mammals foxes and coyotes prey upon. Remove feeders if foxes or coyotes are regularly seen around your yard.
- 🕒 Do not feed your pets outside, feed pets indoors. Outdoor feeding attracts many wild animals to your door!
- 🕒 Close off crawl spaces under porches and sheds. Foxes and coyotes may use such areas for resting and raising young.
- 🕒 Try to educate your neighbors about the dangers of feeding coyotes, foxes, bobcats and wildlife. When neighbors feed carnivores or other wildlife regularly they will also be visiting other nearby homes.

- ⌚ Coyotes, foxes and bobcats are naturally fearful of humans. If you do not want them to visit your yard, make noise (bang pots and pans) or stomp your feet or wave your arms. *If you enjoy their visits, watch quietly from a window or a respectful distance.*
- ⌚ Make noise when you are outside especially if coyotes are often in your area. Coyotes will often change their course of direction when they hear people. Bring a whistle or horn to scare them away from you, if you feel threatened.
- ⌚ Despite the near ubiquitous presence of carnivores in MA, attacks on people are exceedingly rare.

## **Keeping Pets Safe**

*Keep your pets safe. Free roaming pets are more likely to be killed by automobiles than by wild animals but wild animals cannot distinguish between natural prey and pets. It is the responsibility of a caring pet owner to protect pets from harm. Your pets have indoor homes, wildlife live out of doors; they have no other homes. Keep your pets indoor or supervised to protect them and wildlife. For the safety of your pets, keep them restrained at all times.*

- ⌚ Keep dogs (especially small breeds) supervised. If dogs are kept in fenced areas, fences should be 5 to 6 feet with no spaces where coyotes can crawl underneath. While a fence does not guarantee total protection, it is a good deterrent to coyotes or humans who would snatch or harm pets that are left outside alone.
- ⌚ Dogs taken outdoors by their owners should always be leashed unless in a fenced yard, where they should still be supervised and checked regularly.
- ⌚ Dogs should not be tied outdoors unfenced and unsupervised in coyote-prevalent areas.
- ⌚ Cats should be kept indoors for their own protection and to protect all wildlife. Domestic cats may be the greatest threat to small mammal and bird populations in the United States.
- ⌚ Never leave pets unattended outside for any period of time, especially at night, even in a fenced enclosure.
- ⌚ Invisible fences do not protect your pets from predators. While they may keep your pet in your yard, they do not keep predators or other animals out of your yard.

## **For Farmers & Livestock Owners: Practice Good Animal Husbandry to Coexist with Carnivores.**

*A stable eastern coyote family and other carnivore presence may be beneficial to farmers and livestock keepers. When practicing good animal husbandry and predator avoidance tactics are practiced, coyotes, foxes and bobcats will avoid farm animals and a human presence. Eastern coyotes, in particular, establish territories that may include your farm as part of a pack's range. The presence of a stable pack that has been conditioned to avoid livestock can actually reduce livestock predation by discouraging single or dispersing coyotes and similar predators from entering the area.*

- ⌚ Install six-foot high fences (electric is preferable).
- ⌚ Install motion detected flood lights in areas where livestock are kept to be used as

a deterrent for predators visiting at night. The lights may deter predators and alert livestock owners to possible predator presence.

- ⌚ Use guard dogs, llamas and donkeys. These animals are very good at protecting livestock and they do not like canids. They will use their natural defenses of kicking and biting to protect livestock from carnivores.
- ⌚ Place newborns and mothers in safe, confined environments like birthing sheds.
- ⌚ Keep small animals, such as rabbits and chickens, in secure enclosures that prevent entry from above and below.
- ⌚ Use legal means of disposal of animal carcasses. Never leave an animal carcass out in the open as it may attract carnivores like coyotes or other wild animals.
- ⌚ Do not bait eastern coyotes, foxes, or other predators. Baiting unfairly conditions carnivores to livestock whether beef, poultry, or pork, and may create a problem where none previously existed. Baiting induces problems with carnivores by encouraging them to seek unnatural prey as well as habituating them to enter human dominated habitats.

## Fact Checklists for Wild Carnivore Species in Massachusetts

### Eastern Coyote



Some facts about eastern coyotes may surprise you. These beautiful animals are actually a hybrid between western [coyotes](#) (*Canis latrans*) and eastern wolves (*Canis lycaon*). They are morphologically and genetically unique and different from both of their parent species. They now live throughout Northeastern North America and have replaced the original 60-70 pound eastern wolf that originally lived here. Due to their hybrid background, published research also supports the nomenclature “coywolf” (Way et al. 2010, Way 2013). Eastern coyotes may live as solitary individuals, in pairs, or in small family groups, both in rural and urban areas. However, in areas where people do not kill them, the dominant social system is for them to live in small packs of 3 to 4 adults that raise pups each spring and guard a territory from other coyotes. They are monogamous, and both parents work to raise the pups, by teaching their young to hunt natural prey (such as mice, rabbits, and woodchucks) and to avoid dangers such as people and cars.

Some people believe that there is a coyote overpopulation problem, or that they are seen everywhere. They actually exist in much smaller populations than most people believe. Both

male and female coyotes actively maintain their territories that may vary in size from 2 to 30 square miles but average 5-10 square miles in MA. Coyotes travel long distances even during the course of one evening. Thus one pack may be seen in one location one day and miles away the next, making their presence seemingly larger than it actually is. Their territoriality naturally inhibits overpopulation. Other factors that limit populations are disease, prey base, habitat and human hunting. Furthermore, reproduction is once per year and limited to the group's leaders (called breeders or alphas). Breeding season occurs in January/February, followed by 4-8 pups born in a den in March or April. Pup mortality is often high. Some juveniles disperse in late fall to seek new territory, while some individuals remain with their parents and form a pack (Way et al. 2002).

Whether alone or in a pack, eastern coyotes are naturally shy and reclusive. These animals are known to travel at night to avoid interactions with humans (Way et al. 2004). Humans only need to take simple precautions to prevent and minimize any potential conflicts. These precautions will protect you and the wild animals that live among us.

### **Eastern Coyote Checklist of Facts:**

#### **General Description of the Eastern Coyote or Coywolf**

- ⌚ Lives in all of the northeast from New Jersey to Maine; western coyotes live in the remainder of the country outside of Northeastern North America.
- ⌚ The biggest type of coyote – 30-45 lb. on average
- ⌚ Track size is oval and from 3-3.5 inches long
- ⌚ Color ranges from blonde to darker black and brown, but is usually tawny brown

#### **Eastern Coyote Facts**

- ⌚ Feeds mostly on small mammals
- ⌚ Opportunistic predators – eating everything from fruit to meat
  - Medium sized prey is main food source: mice, voles, rabbits, woodchucks, and deer fawns
  - Larger mammals where available (like adult deer)
- ⌚ Habitat: Rural (wilderness) to urban
  - Prefers edge habitat where different cover types meet
  - Agricultural and suburban areas are perfect habitat because of this
  - Edge habitat provides cover and high prey numbers
- ⌚ Lives in 49 of 50 U.S. states and everywhere except Long Island and offshore island.

#### **Are Coyotes Dangerous? Keep it in Perspective: Coyotes vs. Dogs (CDC data)**

- ⌚ 4.7 million dog bites per year in U.S.
  - 800,000 people need medical attention
  - 1,000 people per day go to ER
  - 15-20 people, on average, die per year
- ⌚ 4-5 coyote bites in Massachusetts' history
  - 2 or 3 were rabid
  - 2 fatalities in recorded history in N.A. in past 500 years: one on a toddler in Cali in early 1980s (food habituated animal) and one on an 18 year old lady in Nova Scotia in 2009

- ⌚ Dog bite losses exceed \$1 billion per year  
\$345 million paid by insurance

**For more information on coyote and coywolves visit Eastern Coyote/Coywolf Research at <http://www.easterncoyotereseach.com> and Project Coyote at <http://www.projectcoyote.org>**

### **Grey (left) and Red (right) Fox**



Text adapted from the Commonwealth of MA Fish and Wildlife website ([http://www.mass.gov/dfwele/dfw/wildlife/living/pdf/living\\_with\\_foxes.pdf](http://www.mass.gov/dfwele/dfw/wildlife/living/pdf/living_with_foxes.pdf))

Foxes are members of the dog family Canidae, and their general appearance is similar to that of domestic dogs and coyotes. The red fox and gray fox are both common and abundant species in Massachusetts. Both species are found throughout the state, except on Martha's Vineyard and Nantucket. Foxes prefer landscapes of mixed habitat, and thrive in areas where different habitats — forests, fields, orchards and brush lands — blend together. Foxes typically use the transitional areas between these habitat types for most of their activities.

The **red fox**, *Vulpes vulpes*, measures 22 to 32 inches in head and body length, while its bushy tail adds another 14" to 16" in total length. Adults weigh from 6 to 15 pounds, but appear heavier than they actually are. The red fox is usually recognized by its reddish coat and black "leg-stockings." Red is the most common dominant color, but the coat, up to 3 or 4 inches long, may vary from light yellow to a deep auburn red to a frosted black. The white tip on the tail will distinguish this fox from any other species at any age.

The **gray (or grey) fox**, *Urocyon cinereoargenteus*, is often confused with the red fox because of the rusty-red fur on its ears, ruffs and neck. The overall coloration is gray, with the darkest color extending in a suggested stripe along the top of the back down to the end of the tail. The belly, throat, and chest areas are whitish in color.

The gray fox appears smaller than the red fox, but the shorter leg length and stockier body are deceptive. Many gray foxes weigh about the same as red foxes living in similar habitat types. On average, males and females weigh 8 to 11 pounds, and are generally on the heavier end of

that range in this part of the country. Compared to the red fox, the gray has a shorter muzzle and shorter ears, which are usually held erect and pointed forward. Gray foxes stand about 15 inches tall at the shoulders and average 40-44 inches in length, including a tail of 12 to 15 inches. While both foxes have some cat-like features that reflect their evolution as small mammal predators (including elliptical pupils for night vision enhancement), the gray fox is the only fox that climbs trees.

**Life history:** Both species of foxes breed mid January to late February and begin to prepare dens during this time. A den is typically a burrow in the earth, 15 to 20 feet long, and usually located on the side of a knoll, but foxes may also set up dens in or under outbuildings, in rock crevices, or, in the case of the gray, even in trees! Dens may have several entrances. Sometimes foxes dig their own dens, but more often they appropriate and enlarge the tunnels of small burrowing animals such as woodchucks and skunks.

The single, annual litter is born after a gestation period of 53 days. A litter of 4 pups is common. The young leave the den for the first time about a month after birth. The mother gradually weans them, and by 3 months of age, they are learning to hunt on their own. Foxes are quite vocal, having a large repertoire of howls, barks, and whines. The family unit endures until autumn, at which time it breaks up and each animal becomes independent.

Foxes are usually shy and wary, but they are also curious. Activity is variable; foxes may be active night or day, and sightings at dusk or dawn are common. They remain active all year and do not hibernate. Foxes actively maintain territories that may vary in size from 2 to 7 square miles. Territories are shared by mated pairs and their immature pups, but are actively defended from non-related foxes.

Both the red fox and gray fox are omnivorous. They are opportunistic feeders and their primary foods include small rodents, squirrels, rabbits, birds, eggs, insects, vegetation, fruit and carrion. Foxes cache excess food when the hunting/foraging is good. They return to these storage sites and have been observed digging up a cache, inspecting it, and reburying it in another spot

## **Bobcat**



Text adapted from the Commonwealth of MA Fish and Wildlife website  
[http://www.mass.gov/dfwele/dfw/wildlife/living/living\\_with\\_bobcats.htm](http://www.mass.gov/dfwele/dfw/wildlife/living/living_with_bobcats.htm)

Bobcats (*Lynx rufus*) are Massachusetts' only wild cats since cougars (mountain lions) were exterminated in colonial days. Like many predators, the bobcat was treated as a varmint with bounties paid to kill them. Hunting of bobcats was legal year round until 1968. In 1969, Massachusetts was the first state in the northeast to reclassify the bobcat as a game animal for which a regulated hunting season was established in 1971. Still, despite better protections than the coyote or red or grey fox, there is no quota for how many bobcats may be hunted or killed during an almost 3 month hunting season. The prior quota of 50 was removed by the state of MA in 2009 at the urging of the hunting and trapping community. Thus there is no protection from overhunting and no real scientific method for determining the population. Bobcats are hunted for their fur, as trophies, and for fun.

Like most carnivores bobcats are shy, solitary, and generally elusive animals. Although they are generally silent, bobcats have a large repertoire of noises that they can produce. When confronted by an enemy, a bobcat may scowl, snarl, and spit during the breeding season they may also be heard screaming from time to time. Bobcats maintain well-defined home ranges that vary in size depending on prey abundance, season, climate, and the sex of the individual. Male bobcats maintain larger home ranges than females and it is not uncommon for individual animals to travel up to four miles daily. Both male and female bobcats use scent marking to mark well-used trails and den sites. Their use of scent is thought to help individual animals avoid direct contact with each other as they move within their home ranges. Bobcats can be active day or night but tend to exhibit crepuscular (dawn and dusk) activity. Their activity peaks three hours before sunset until midnight and again between one hour before and four hours after sunrise. They remain active year round and do not hibernate. Bobcats are proficient climbers and will climb trees to rest, chase prey, or escape from predators (chiefly domestic dogs). Like domestic cats, bobcats try to avoid water whenever possible but when forced to flee to water they can swim quite well. Bobcats are well adapted to a wide variety of habitat types. They can be found using mountainous areas with rocky ledges, hardwood forests, swamps, bogs, and brushy areas close to fields. Bobcats are well capable of dealing with human influences but tend to avoid areas with extensive agriculturally cleared lands that eliminate other habitat types. Bobcats can be classified as common in central and western Massachusetts, present in northeastern Massachusetts, and rare to absent in southeastern Massachusetts. It is thought that one of the limiting factors to bobcat expansion is the absence of suitable rocky ledges that provide cover and den sites.

Bobcats hunt by stalking (creeping from cover to cover) prey until they are close enough to pounce or they may wait on a trail or in a tree to ambush prey as it passes by. They may also run down their prey over short distances. Although bobcats have a fairly good sense of smell, they rely primarily on their keen eyesight and hearing to detect both prey and danger. They most commonly prey on medium sized animals such as rabbits and hares but will eat mice, squirrels, skunk, opossum, muskrat, birds, snakes, and other available items. Occasionally bobcats will prey upon larger animals such as deer but this is generally when other food items are scarce and only sick, injured, young or very old animals are likely to be killed. When food is plentiful, bobcats will cache the excess by covering it with leaves, grass or snow and return to feed off of it repeatedly.

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