

COMMISSION MEETING AGENDA BRIEFING

Meeting Date: September 18, 2019 Agenda Number: 10

Presenter: Stewart Liley Corroborator: N/A

Agenda Title: Subsequent Discussion on the Trapping and Furbearer Rule

1. Summary of Agenda Item

The Department will present perspectives on changes to the Trapping and Furbearer rule (19.32.2 NMAC) based on public comment, harvest and biological data collected and information from recent literature. Initial proposed changes include:

- Require every trapper to complete a Department approved trapper education course;
- Prohibit the use of land sets on the Sandia Ranger District, the eastern portion of the Organ Mountain-Desert Peaks National Monument, and on Forest Service lands within ½ mile of NM Hwy 475 on the Santa Fe National Forest, and NM Hwy 150 on the Carson National Forest;
- Create a setback distance of ½ mile from a designated trailhead;
- Require snares on land to have a break-away device;
- Require traps to have at least 2 separate swivels points, one within 6 inches of the trap;
- Require stakes, chains, or drags, or other anchoring systems such that any furbearer or wolf will be prevented from escaping with a trap;
- Move manner and method from the trapping and furbearer rule to 19.31.10 NMAC 1978 "Hunting and Fishing - Manner and Method of Take";
- Make the Furbearer and Trapping rule a 4 year rule.

2. Background Information

Furbearer management in New Mexico has sustained viable populations of furbearer species while allowing for recreational opportunity in the form of consumptive and non-consumptive activities. State management is guided by the North American Model of Wildlife Management, which prevents the commercial overexploitation of furbearers seen in previous centuries through strict, scientifically based regulatory structures and enforced by conservation officers. The Wildlife Society recognizes that trapping and sustained harvest of furbearers is a safe, effective method of managing and studying furbearers. Trapping of furbearers has been a part of the Department's approach to modern furbearer management, and the regulations and rules the Department has put in place have ensured that populations of furbearer species have persisted, and in some cases expanded, in the state.

The Department has in place a number of regulations that allow for consumptive use of furbearers while still conserving and protecting their populations to ensure long-term persistence. The Department only allows the harvest of protected furbearer species that are abundant in the state, and does not allow the trapping of any species that might

decline in the long-term under harvest pressure. Seasons are structured to prevent unsustainable levels of harvest by establishing a limited window during which protected furbearers can be harvested. Any person harvesting furbearers in the state must be licensed, and must report information on their harvest in order to purchase a license the following year. The Department limits the types, sizes and designs of traps, the frequency in which traps must be checked, and how and where those traps can be set to ensure public safety, animal welfare, and selective and efficient use.

In 1997, the United States and the European Union signed and Agreed Minute concerning humane trapping standards. The United States agreed to develop Best Management Practices (BMP) in an effort to identify more humane traps and trapping methods. Research was conducted by wildlife professionals, trappers, and veterinarians, who field tested and evaluated traps based on 5 criteria: animal welfare, efficiency, selectivity, practicality, and safety. These criteria and the testing protocols were developed by the International Organization for Standardization (ISO), and over \$40 million has been spent on researching and publishing BMPs for 23 furbearer species. Trapping is the only form of consumptive wildlife use that has international standards by which tools and techniques are evaluated specifically for animal welfare.

The Department's regulations on trap type, sizes, and designs are guided by the BMPs, e.g. the jaw-size of foothold traps allowed on land and the trap modifications required for foothold traps of certain sizes. Other findings and recommendations from the BMP testing have been incorporated into the trap types and modifications chosen by the general public, researchers, and state and federal biologists trapping in the state. The use of traps by researchers and the general public has been recognized as a useful tool for furbearer management by the American Association of Wildlife Veterinarians. The evolution of traps and their continued use in wildlife management has been crucial to the reintroduction and restoration of threatened and endangered species in New Mexico, and the protection of both wildlife and human populations.

3. Strategic Plan References and Possible Impacts of Agenda Item

The process as presented to the Commission meets the Conservation Services Program Objectives 1, 2, 5 and 7 of the Department's Strategic Plan: FY 2019 – FY 2023

4. Considerations Regarding Duplications and/or Conflicts with Existing Rules or Statutes

N/A

5. Description and Summary of Public Involvement Process and Results

The Department has posted via its website the proposed changes and will update the website with any additional changes. The Department is planning public meetings and meeting with stakeholder groups to gather input.

6. Suggested Motion

This is a discussion item and no motion is necessary, unless Commission discretion dictates otherwise.