

**Trapping Committee “Work in Progress” Document:
Definitions/Draft Guiding Principles/Some Suggestions/Some Agreements
Related to the Agreed Upon “Important Questions”**

As of August 29, 2018

A. Is trapping constitutionally protected in Montana and if so, what language in the Constitution protects it?

- Guiding Principle - As members of the Trapping Committee, we accept and affirm the Charter given to us by Fish, Wildlife & Parks.
- Tentative Agreement – Question A is completed.

B. How is trapping supported financially by/within FWP? What is the data related to the number of trappers who pay for a license to trap in Montana? What direct income do Trappers bring to FWP and what might be the income from supporting industries?

- Guiding Principle - We recognize that sportsmen and women financially support wildlife management. We believe that those license fees as well as federal dollars received by FWP should continue to support trapping within Montana.
- Guiding Principle - We believe there are opportunities for supporting industries to financially contribute to wildlife management and that trapping contributes to Montana's economy.
- Tentative Agreement -

C. What is the spectrum of trappers and their activities (e.g., recreation, livelihood, predator control, cultural/historical, commercial, etc.)? Might certain regulations be applicable to different kinds of trappers?

- Description – The spectrum of trapping includes recreation/tradition, damage control, commercial/livelihood and research.
- Suggested Guiding Principle but not accepted by the group - *We recognize that there are different types of trappers in Montana that operate under different regulations but that their internal policies are to where possible, follow state laws and regulations*
- Draft Guiding Principle – We believe that all trappers (recreation/tradition, damage control, commercial, research), regardless of where they are on the spectrum, should obey the law and regulations and guide their decisions in accordance with target species and purpose for capture with due regard for reducing non-target and incidental catches or take:
- Tentative Agreement – Initially, there was a lack of clarity/agreement about what is meant in/by the Important Question. There was need to discuss and come to agreement on what the Important Question meant before today's draft Guiding Principle was accepted. After discussion, the Committee reached tentative agreement on the description and applicable draft Guiding Principle.

D. What outcomes do we desire related to trapping? How will our accepted recommendations be evaluated for effectiveness related to our desired outcomes? How can the Committee forward issues to FWP where they cannot reach agreement and/or it involves another entity beyond the Department?

- Guiding Principle - We agree that our desired outcome is to reduce conflict related to trapping.
- Guiding Principle - We also believe that the effectiveness of any of our accepted recommendations should be evaluated over time.
- Guiding Principle - We work to reach consensus but where we cannot or where FWP does not have the authority to implement actions, we agree to provide some sense of the Committee's desired direction for those issues (i.e., work with Cities and Counties on leash laws; work with Montana Department of Agriculture on issues related to trapping on private land; find ways to forward things to the Legislature; go to the public, etc.).
- Tentative Agreement – The Committee intends to revisit how to forward consensus recommendations and areas where they are not in agreement at the end of the process.

E. What is meant/how do we collectively define terms like “ethical” and/or “positive trapping behaviors/actions”? What are the varying/different impacts on animals from different kinds of traps? Based on our definitions, are there particular traps that should be encouraged and why?

- Guiding Principle - We believe that ethical trapping is both following the law and regulations as well as showing concern by behavior and choices for minimizing impacts to non-target animals, target animals and public sensibilities
- Tentative Agreement – The small group identified a number of specifics that they would like included in the discussion related to this guiding principle and without agreeing to the specific list, the full group agreed to the expanded discussion.

F. What behaviors related to trapping need to be addressed? What can be done about “bad” (outlaw) trappers? What can be done about unethical trapping? What “tickets”/fines are given for what infractions related to trapping? Geographically, where are the most tickets given?

- Definition - “Illegal trapping” is trapping not in compliance with established Montana regulations and ordinances.
- Discussion – Sorting out/discussing issues/problems related to ethics
 - We see “ethics” as how you behave when no one is looking. You can’t regulate ethics. Education is key with a component of enforcement and consequences to back it up.
 - Factors that contribute to ethical trapping and should be considered include device choice (e.g., lethal, restraining); set choice (e.g., location, bait); goal of actions (e.g., trapping for pest control; trapping for fur; recreational trapping)
 - Trappers might consider choosing traps/sets/goal that cause the least impact.
 - Ideas to encourage include following Best Management Practices; creating a culture that acknowledges unethical behavior/works to combat it; mentorship.
- Issue – Many trappers operate outside of FWP jurisdiction – how do we reach them? What issues exist related to predator trappers through other Agencies?
- Guiding Principle - We recognize the need to fully explore and collectively agree on what is meant by “illegal” trapping.
- Tentative Agreement – The Committee agreed that there are misconceptions about why illegal acts occur and that they need to agree on those before they can or would develop any recommendations.

G. How might a particular problem be best resolved – education, regulation, enforcement, consequences, etc. How can the public be made aware of traps – where, when, how, etc. – to decrease negative interactions between traps and the general public? What is the rate of citation for pets at large (e.g., off leash in a leash area; chasing wildlife, etc.)? How can we educate/promote responsible pet ownership in areas with wildlife and where trapping occurs? What are the statistics about how many domestic animals are treated for trap-related injuries compared to injuries from other things? What options are there for implementing an education program related to trapping?

- Guiding Principle - We believe that any issue related to trapping is best addressed with a multi-faceted approach (education, regulation, enforcement, consequences, etc.).
- Guiding Principle - We believe that a well-funded, well-organized education program for all interests can help enforcement; can mitigate capture of non-targets; can enhance reporting; should teach where and when trapping can or should occur; and can teach best management practices and protocols related to lethal, non-lethal, less lethal approaches and dispatching of captured animals.
- Discussion
 - Suggestions for pieces of a desired “Education Program”: Needs to be mandatory; needs to be in the field; needs FWP oversight – Instructors must be vetted including background check; participation by other interest groups in teaching and selecting instructors and involvement in curriculum development is strongly suggested and should be mandatory; encourage FWP to explore higher tiers of trapper education in the future once the initial class is established
 - We also encourage FWP and the US Forest Service to post signs at all public trailheads stating that fur trapping is in progress from... (dates). Include set back parameters where applicable.
 - Brochures should be distributed by FWP license agents condensing setbacks, trapping dates, trap free zones and other avenues to help make the public aware.
 - Include FWP Administrative Assistants in the education effort.
 - Consider geographical targeted education.
- Tentative Agreement – The group acknowledged that while their role is not to design the education program, they would like their suggestions considered and will depend on FWP to explain roadblocks, difficulties, etc., with suggestions.

H. What role should enforcement play? What can be done to help enforcement? What information do we need to inform recommendations related to enforcement and trapping?

- Guiding Principle - We believe that simplified consistent terminology is critical to uniform enforcement and data collection.
- Tentative Agreement – Discussion will continue.

I. What are the regulations for the Montana Department of Agriculture related to trapping on private land and how are those regulations different from FWP?

What authority does FWP have on private land related to trapping?

Where FWP does not have authority related to trapping, what can be done?

- Guiding Principle –
- Tentative Agreement –

J. How can we get useful data related to non-target species and how can we use it for useful analysis? How do we collectively define “non-target” species? What do we mean by “non-target” and “incidental”? What data is available related to incidental catch; what does FWP do when this happens? How can incidental catch data be more effective/accurate?

- Definition – “Non-target” capture is catching a protected species that is releasable. (CF page 6, col. 1)
- Definition – “Incidental take” includes out of season regulated, protected, non-releasable or dead; currently may or may not be reportable. (CF page 4, col. 2)
- Applicable draft Guiding Principle – We accept these definitions in accordance with Montana FWP statutes and regulations.
- Tentative Agreement – The Committee agreed to use pertinent definitions from FWP legal documents unless a member disagrees about a particular definition.

K. What does a “trap-free” zone look like and how/when might it be useful? What approach can/should be used for how death takes place for animals (still alive) caught in a trap – or for release from a trap? What do we need to discuss about 24 hour trap checks, mandatory trap checks, etc.? What might be alternative methods – lethal or non-lethal – that could be used in place of trapping – when, where, etc.? Are there changes we might want to consider related to trapping specific species (e.g., beaver, wolves) and specific regulations? Are there opportunities for expanding trapping?

- Draft Guiding Principle - We believe that trap free zones are a legitimate tool to reduce conflict but require clear criteria within which they are established
- Suggestions about trap free zones criteria:
 - Explore trap free zones in high use areas close to highly populated urban areas and areas of high public use (e.g., Bozeman Creek, Mount Helena).
 - Explore dog free zones in areas where dogs and other wildlife have conflicts.
- Tentative Agreement – The small group discussed the specifics that they felt could help sort out “criteria” if the full group goes in that direction.
- Tentative Agreement – The Committee agreed to have further discussion related to trapping and beaver and wolves, and specific regulations including the recommendations from the 1999 Trapping Committee report. (The group did not draft guiding principles related to the added questions.)