

PUBLIC COMMENT ON FURBEARER/TRAPPING

The public comment period ran from June 19, 2019 to July 14, 2019 and we received 140 comments

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Survey Monkey Comments

1 Barbara Jennings Huson MT Please have the set back rules apply to all roads and trails even those closed to vehicular traffic. These are public access and are used by hikers, cross country skiers and other family recreation. Why put these folks at additional risk by allowing traps right in the paths.

2 Tim Chinook MT I think the setbacks off roads is a good thing and also the reporting of non-targeted captures.

3 Sheryl Hester Oro Valley AZ I am a native 3rd generation Montanan. Trapping is barbaric and inhumane and like all horrific practices it needs to be abolished. My ancestors would agree. There is no need for it. People cannot make a living from it. It is not a sport. It just feeds the blood lust of a few people who enjoying killing and watching animals suffer.

4 Roger Nottingham Kalispell MT Maximize setbacks as much as possible, preferably at least 100 feet from any road or trail. Require 24 hour check times. Decrease wolf trapping harvest numbers in areas of CWD. Require signage in any area that is accessible to hikers/cross country skiers that people are trapping. Animals can't read so why the heck not? Especially if the person is trapping legally. No trapping of a Fishers. No trapping of Wolverines.

5 Dorothy Filson Bozeman MT Please consider these comments. 1. Decrease the harvest quota of fisher in Region One from 1 to 0 beginning with 2019 season. This is a good proposal, but needs to be expanded. The unregulated fur trade almost eliminated fisher and reintroduction has never taken a firm hold. No one knows how many there are in Montana. We do know there are very few and trapping is unsustainable. The quota for fisher should be zero in Region 2 as well, which currently has a quota of 5 plus a female subquota of 1. Traps are indiscriminate. It's impossible to set a specific trap for a female. Over-harvest is likely. 2. Create a personal quota of 10 marten per trapper in Region 1. The current season for marten is open from Dec. 1 o- Feb 15 and there is no personal quota or overall quota. This season has been in place since at least the early 1980's and there has never been a harvest quota for marten in Region 1. Marten have declined precipitously in the past five years. In 2006, 579 marten were trapped, a high. In 2018, only 185 were trapped. Unlimited trapping from Dec. 1-Feb 15 in all five regions, forest fires and logging have combined to threaten this species. Trapping for marten should be eliminated due to the dire drop in their numbers and all

efforts should be made to support the resurgence of this species. 3. Decrease the bobcat harvest quota from 200 to 150 in Region 2.... The season has closed early in every year since 2006 due to the quota being met, and in 2018-19 the season was preemptively closed at 58 days of the possible 75-day season, due to a harvest of 196 bobcats at that time. Again, Montana trappers were the only people consulted on this proposal. Bobcat numbers have steadily decreased, and forest fires have contributed along with trapping to threaten recovery. Due to the drop in populations numbers and increased threats due to lack of habitat, warming temperatures and other related stressors, trapping for bobcats should be eliminated at this time to allow this species to recover.

4. FWP propose to 1) require furbearer and wolf trappers to report all non-target captures that cannot be lawfully trapped and define “Animals that May be Lawfully Trapped” and 2) Remove the word “incidental” from the regulations and replace it with the more accurate “excess take” defined as the take of a legally-harvestable species after the season is closed or an individual’s possession limit has been met. I generally support this proposal, which was recommended by the Trapping Advisory Committee. It covers domestic animals as well as any animal that cannot be lawfully trapped. It will help us understand the impact of traps on non-target species. However, it needs further clarification. For instance, non-target captures must be reported within 24 hours of what—the trapping of the animal or the indefinite period following that capture, when a trapper checks traps? This calls into question the lack of a time limit for checking traps. A 48-hour time limit is reasonable to reduce the kill of non-target animals in traps. The companion or “owner” of a domestic animal caught in a trap should be allowed to immediately remove that animal from the trap to seek medical care with no penalty.

5. FWP proposes to clarify the language for trapping setbacks on public land roads and trails by changing it to: Proposed language for the furbearer and trapping regulations: Roads and Trails – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile. Proposed language for the wolf regulations: Roads and Trails – Ground sets require a 150-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile. If roads closed year round do not have setbacks at all, it is imperative to have signs warning the public that traps can be placed anywhere on these roads. Hikers, skiers and anglers use these roads with children and dogs. If no warning is posted, the state is liable for injuries and deaths. It’s time to consider setbacks for roads closed to vehicles, which is only fair to the public at large. All roads where trapping occurs should have 50-foot setbacks and warnings posted to ensure the safety of the public. Thank you for the opportunity to consider and comment on the proposed trapping regulations.

6 Harold Johnson Plentywood MT As a Montana Trappers representative for Eastern Montana and also a lifelong trapper, I approve of the regulation changes set forth by the trapper advisory committee. I do have some concerns with the definitions as to setbacks on certain roads. It appears that there is some confusion as to what constitutes a road with or

without setbacks. I have no opinion on the martin limit as we have little or no martin habitat in Eastern Montana.

7 Paul Harris LEWISTOWN MT Tagging pelts at the end of the season makes total sense.

8 Terry Halvonik Kalispell MT The habitat for marten is gone forever in region 1. The last pockets of marten habitat are being cut. Something should have been done 20 years ago!

9 EIAN THOMAS BonnerMT I feel the setbacks are already set far enough. The responsibility needs to be shared with dog owners. There are active leash laws in Montana and if followed can near eliminate public interaction with traps. I also feel the idea of having pelts tagged after season ends would be a lot easier for the trapper and for the wardens. As far as non target reporting, i fill out my survey at the end of season but i dont think you want me to call every time i catch a skunk.

10 Pamela Hogle Missoula MT I want to comment on proposed regulations regarding trapping setbacks on "closed" roads. Montanans love being outdoors year-round. When a road is closed to motor vehicles, it becomes possible to hike there with children and pets. Unless trapping is allowed. Traps are indiscriminate; a child or dog can be caught as easily as a hutable animal. If even one trapper places traps on a roadway, that space becomes inaccessible to all Montana residents. Even worse, if trappers are allowed to place traps and there is no clear and enforceable mechanism to warn people, any and all roads closed to vehicles will essentially be closed to everyone except trappers. We'll have no way of knowing whether or where traps are. That is unfair, unethical, and dangerous. Thank you Pamela Hogle, Missoula, MT

11 Jerry C. Shively Thompson Falls MT I feel that the proposed requirement to report all non-target captures is in conflict with a trappers 5th Amendment rights. In that this information will only be used AGAINST trappers. It is also almost totally unenforceable, unless warden is present when all traps are being checked. It also opens the door to any ARF to pick up any road kill, or stray pet, & stage non-target catch situation on any trappers line that they may be able to access. Legal & truthful are not in their vocabulary. ANY rules or regulations that apply to fur trappers should also apply to research & animal control trappers employed by any government agency.

12 Tom Radandt Libby MT Montana is a diverse state, weather conditions can change rapidly. The current trap check requirements work for Montana and should not be changed. I support the proposed word changes to what is a closed road in regards to trapping. This clarification needs to be implemented. We are not creating any changes, just clarifying where traps can be placed. Wildlife management decisions need to be based on science. Since the proposed changes to harvest of F fisher and martin in R1 and bobcat in R2 are based on population numbers, I support these proposals. All setbacks should be standardized to 50 feet for all species.

13 Mike Krings ConradMT I support all the new changes. And I support no further trap check law. Animal cruelty and waste of fur bearer laws are already adequately addressing any issues that a trap check law would attempt to address. Thank you

14 Nancy W Larson Missoula MT There definitely needs to be setback regulations on closed roads so my dog does not get trapped while I'm cross country skiing or hiking! Also the limits need to be lowered for Martins and Fishers and Bobcats. Incidental is not a good word for animals that have been killed accidentally. Such kills should be reported immediately.

15 Mary ShabbottPunta Gorda FL In regards to the 9 proposed trapping regulations: Proposal 1: Change language for setbacks on public land roads and trails. "Roads and Trails – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile." Passage of this proposal would allow trappers to set baited unmarked, secreted, unattended traps and snares right along the very roads coveted by cross country skiers and hikers often accompanied with their children and dogs. I OPPOSE!!!! Instead, for consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. Proposal 2 seeks to change pelt-tagging requirement for fisher, otter, bobcat and swift fox from within 10 days of harvest to within 10 days of the calendar close of season. I OPPOSE! Although trappers are required to report the trapping of these 4 species within 24 hours, reported quota numbers commonly change and inconsistency is the norm with annual harvest reports. Wardens have expressed the challenges they have trying to regulate trapping. Poaching of lucrative species such as bobcats has been publicly expressed by wardens and trappers. This proposal makes the tagging more lax when the reigns instead should be tightened. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions. Proposal 3: Require furbearer and wolf trappers to report all non-target captures. FWP proposal "Define "non-target capture" as: "The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to FWP within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call FWP. Exception: Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal." Animals that may be lawfully trapped are furbearers or wolves for which the season is open and an individual possession limit has not been reached, nongame wildlife and predators. A trapper may NOT trap any game animal, game bird or migratory bird. I propose that while this is a good start, this language lacks clarity as to which animals must be reported. Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or

collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. Currently only approximately 40% of licensed trappers return the voluntary survey. Proposal 4 seeks to remove the word "incidental" from the regulations and replace with the more accurate "excess take" defined as the take of a legally harvestable species after the season is closed or an individual's possession limit has been met. I SUPPORT!! Proposal 5 seeks to formally adopt the current language for ground set, water set and relaxing snares. Proposal 6 seeks to clarify the definition of a center swivel to be: "A swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a point no more than five normal chain links from a centered D-ring or base plate attachment point at the center." I support unless provided reasons otherwise. Proposal 7 seeks to lower fisher quota in the Cabinet Fisher Management Unit from one to zero. I support but eliminate the trapping season on all fisher. Proposal 8 seeks to create a personal marten quota in Region 1 of 10 per trapper. I propose instead: Issuing a quota for marten in Region 1 and elsewhere. 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill. Proposal 9 seeks to Lower bobcat quota in Region 2 from 200 to 150. I SUPPORT!!!! Commissioners, there remains a critical need for Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals. A quota, required reporting, shortened seasons and more area closures for trapping beaver. Closure of trapping swift fox. Thank you.

16 Mary Jane Barrett Kalispell MT See below for the changes our family would like to see instead of current language: Thank you. Mary Jane and Steve Barrett -----our proposal in line with others: For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety.

17 Steve Stone Los Angeles CA I am asking that this horrible and painful method of trapping innocent wild life is stopped for good... that compassion needs to happen anywhere it can... and let that be our guiding motivation....

18 Billy "The WiZaRd" Angus Hamilton MT Trophy hunting and trapping has no place in the 21st Century and beyond!! What is gonna take for you to listen to the vast majority (including me) whom are strongly against these barbaric and outdated pastimes? Witchcraft???? Leave our wildlife alone or else I will never display nor honor the state flag of Montana again!! Ya' dig??? If you want to "harvest" anything, do so with fruits, vegetables, and grains, and STOP using the word "harvest" regarding sentient beings!!! I'm sick and tired of the mere handful of redneck hillbillies running the show!!! This is 2019 A.D., NOT 1859!!! Grow some brains and balls and STOP KILLING OUR WOLVES, BUFFALO, GRIZZLY BEARS, AND OTHER WILDLIFE!!

19 Richard W Firth Mechanicsville VA Dear Sirs: Concerning the 2019 Trapping Regulations and Quotas-Proposed I would like to make the following comments even though not a resident of your state but I join all Montana residents and others throughout the country who care about Montana's wildlife to the extent that Trap Free Montana does:

1. Change language for setbacks on public land roads and trails. "Roads and Trails – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile."
****Passage of this proposal would allow trappers to set baited unmarked, secreted, unattended traps and snares right along the very roads coveted by cross country skiers and hikers often accompanied with their children and dogs **SOMETHING VERY UNSAFE AND DANGEROUS FOR DOMESTIC PETS AND SMALL CHILDREN. THEREFORE I MOST VIGOROUSLY OPPOSE!** And instead, I Propose: For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, Kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. You Commissioners expressed particular concern regarding the trap set back proposal but elected to open it for public comment and I thank you for doing so.
2. Change pelt-tagging requirement for fisher, otter, bobcat and swift fox from within 10 days of harvest to within 10 days of the calendar close of season. I again most vigorously OPPOSE: Although trappers are required to report the trapping of these 4 species within 24 hours, reported quota numbers commonly change and inconsistency is the norm with annual harvest reports. Wardens have expressed the challenges they have trying to regulate trapping. Poaching of lucrative species such as bobcats has been publicly expressed by wardens and trappers. This proposal makes the tagging more lax when the reigns instead should be tightened. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions.
3. Require furbearer and wolf trappers to report all non-target captures. FWP proposal "Define "non-target capture" as: "The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to FWP within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call FWP. Exception: Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal." Animals that may be lawfully trapped are furbearers or wolves for which the season is open and an individual possession limit has not been reached, nongame wildlife and predators. A trapper may NOT trap any game animal, game bird or migratory bird. I Strongly Propose: While a good start, this verbiage lacks clarity as to which animals must be reported. Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. Currently only approximately 40% of licensed trappers return the voluntary survey.
4. Remove the word "incidental" from the

regulations and replace with the more accurate "excess take" defined as the take of a legally harvestable species after the season is closed or an individual's possession limit has been met. I most strongly SUPPORT . 5. Formally ADOPT the current language for ground set, water set and relaxing snares. 6. Clarify the definition of a center swivel to be: "A swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a point no more than five normal chain links from a centered D-ring or base plate attachment point at the center. I most strongly SUPPORT, unless I am provided reasons otherwise. 7. Lower fisher quota in the Cabinet Fisher Management Unit from one to zero. I strongly PROPOSE: Support but eliminate the trapping season on all fisher. 8. Create a personal marten quota in Region 1 of 10 per trapper. I PROPOSE instead: Issuing a quota for marten in Region 1 and elsewhere. 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill. 9. Lower bobcat quota in Region 2 from 200 to 150. I most strongly SUPPORT. However, I and others who cannot be silent about the truly humane treatment of our wildlife in this country feel we must CONTINUOUSLY urge the Wildlife Commissioners the continued need for: Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals. A quota, required reporting, shortened seasons and more area closures for trapping beaver. Closure of trapping swift fox. Sincerely, Richard W. Firth 10111 Holly Road Mechanicsville, VA 23116

20 Charles Wright Ypsilanti MI depending on the species of spider, they will use a similar web to trap their prey - if it's the Ogre-faced, he'll drop his trap from above

21 James H. Mundy IV Coeur d'Alene ID I need a email address for a lengthy attachment comment?

22 Cristen McConville Port Edwards WI Dear Sir/Madam~ Please do not allow trappers to set baited unmarked, secreted, unattended traps and snares right along the very roads coveted by cross country skiers and hikers often accompanied with their children and dogs. A minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. Please do NOT allow this to happen!!! Please put the safety of children & animals first!!! Thank you for your consideration.

23 John Camac Newtown Square PA From an animal behaviorist and wildlife advocate's point of view --- trapping is the worst possible fate for any animal. The psychological torment of not being able to move or return to family is devastating. Not to mention, the physical discomfort, possible dehydration, starvation, exposure to the elements and predators. All for a cheap pelt or "recreation" -- not acceptable. Cruelty erases our humanity. .

24 marina boston MA It's unbelievable that we stil debate and send comments from state to state trying to stop bad practices such .eas placing snares, traps, and so on. Montana

fundamentalist insistence on staying behind in a humane control of wildlife is truly shameful. Should the government agency dealing with this issue insist on bad practices, please keep in mind a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. .

25 Cathy Reich Superior MT While I would like to see trapping eliminated due to its indiscriminate killing and barbarity, or have it prohibited on public lands that I would like to enjoy, could we at least do the following: * Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals. *A quota, required reporting, shortened seasons and more area closures for trapping beaver. *Closure of trapping swift fox. Thank you.

26 Shauna Baron Gardiner MT I do not approve of trapping for purposes other than for food. But if trapping is to exist on public lands then please require setbacks on closed roads as these roads are often where we walk our dogs. Please set body trap setback to much farther than 50 feet. Those are death trap for our dogs. Thank you, Shauna Baron Naturalist Guide Yellowstone National Park

27 Jay Sheffield Libby MT Montana is a diverse state, weather conditions can change rapidly. The current trap check requirements work for Montana and should not be changed. I support the proposed word changes to what is a closed road in regards to trapping. This clarification needs to be implemented. They are not creating any changes, just clarifying where traps can be placed. Wildlife management decisions need to be based on science. Since the proposed changes to harvest of fisher and martin in R1 and bobcat in R2 are based on population numbers, I support these proposals. All setbacks should be standardized to 50 feet for all species.

28 David E. Shellenberger Bethel CT Trapping is inhumane and should end.

29 Renelle Braaten Havre MT Vote NO! Actually....ending this barbaric act is long past due! Who are we anyway? Trapping is seriously out dated. Time to wake up.

30 Warren Michael Gallitin Gateway MT Please vote no on trap setbacks

31 Linda Torlay FORT MYERS FL Please vote NO. When will the war to kill wildlife, for no good reason end? I visit Montana often, still have family there, and it's not right to kill off what is native to Montana.

32 Kasey Felder Laurel MT I oppose the proposed trapping regulations. As an avid hiker & outdoors person I believe that FWP must take into consideration the amount of non-trapping public that use our public spaces. Having a dog on the trail with family is a very common practice for many people I know that use public land. Having limited or no restrictions on trap setbacks is only catering to a small percentage of your public land users. FWP must prioritize public safety when working on trapping regulations. Our state population is growing & with that comes more folks interested & partaking in outdoor activities. Family pets are along for

the ride, such as my own bird dog who loves to run & sniff. My family would be devastated if he was lost to a trap. Please consider the impacts on the rest of your fellow residents & visitors. Thank you for your consideration.

33 Barbara Jennings Huson MT Forr the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. This is important for Montana families access and use of public lands.

34 Patricia Stock Olmsted Falls OH It's bad enough you still allow trapping with no holds barred. Now you want to endanger people, their pets, and even more wildlife with this new trapping law. No, enough is enough. Trappers and hunters have got to stop demanding everything their way.

35 Lucinda Battenschlag Billings MT Please do not remove the trap set back regulations! We hike, cross country ski with children and pets. This is ridiculous to even consider this! Trapping is not effective in wildlife management. This has been proven over and over again. How many more pets or unintended wildlife need to suffer because of poor regulations. These trappers do not even follow their own rules. Thank you for making a responsible decision to keep public lands safe and enjoyable for all.

36 Diana Sourbeer Columbia Falls MT Reducing setbacks for traps where people walk with their kids and dogs is a terrible idea.It's a public safety issue. A little extra hiking for the trappers will probably do them some good too.

37 Debra J inscoe Wilmington NC They MUST STOP killing our wolf packs, each individual wolf is responsible for turning nature back to the way it should be. Wolves run the other way when they smell humans, why

38 Devin Royer Austin TX Please vote no on the proposal before the Montana Wildlife Commission to remove trap setbacks from closed public roads, other than for snowmobiles, but open for our desired public use! These closed roads are coveted by cross country skiers and hikers along with our children and dogs. Trappers want to make it as easy as possible to trap and destroy as many animals as possible. This trapping proposal, makes exceptions for trap setbacks, allowing trappers to set secreted baited traps and snares right on these roads closed to motorized vehicles, such as kelly-humped roads. Never mind who else falls victim. Trappers can easily snowmobile in, set their unmarked hidden baited traps and snares, and eventually ride back in to kill and collect their indiscriminate and very unfortunate victims. This trapping proposal further locks the public out of safe usage of public lands. Clearly trappers aren't having a problem killing wolves in Montana. The 2018/2019 Montana wolf season ended with a RECORD BREAKING number of wolves killed, including by trapping. The confirmed wolf count in Montana was 633 wolves at the end of 2017. For the 2018/2019 wolf killing season, a minimum of 315 wolves were killed in Montana for recreational purposes. An all time high of 130 wolves were reported killed by trappers. An annual reported average of 60 wolves are

killed in the name of livestock protection in our state. Even at an estimated 900 wolves in Montana, with the number of wolves hit by vehicles, destroyed for livestock, killed from natural causes, or poached, we lost over 40% of the wolf population. Tell Wildlife Commissioners NO! Trap setbacks, the distance traps and snares can be set from ALL roads, trails, and waterways MUST prioritize the public's safe usage.

39 Alana Mawson Lady Lake FL Reprehensible and Irresponsible. Just stop it!

40 CAROL PRICE Furlong PA Vote NO! Trapping is prehistoric, barbaric and totally UNNECESSARY. Get some compassion and vote NO.

41 Devin miller Taos NM Trapping is outdated and completely inhumane. The concept of managing wildlife when we have lost 60% of the wildlife on this planet in only 50 some years (according to a recent UN study) is archaic and ignorant. Trappers are a small percentage of the people who go out into nature yet they carry an unrivaled amount of sway when it comes to regulations. It's time to open our eyes and look at the damage we are inflicting in nature as well as on pets and unintended wildlife victims. Allowing traps to be set on roadways, hidden, is moronic! Who makes these decisions? Why is it never enough for these trappers? Are you simply waiting for the day a child dies from this nonsense? Because that day is coming and then there will be a reckoning like never before. Fur is going out of fashion, killing trapped animals is barbaric not to mention the suffering they endure. If you continue to allow this madness in a world that has changed dramatically since the old days of trapping and mountain men there will be consequences. Already there is a huge movement afoot to #BanTrapping. The public is sick and tired of this wanton killing and the loss of pets. It's time you as commissioners wake-up to a changing culture and new societal norms. We will not stop this fight and we need you to get on board. It's not 1890 any longer and the justification for trapping let alone setting hidden traps on roadways indicates a mentality in need of a serious reality check. The time is now.

42 Christine Benton Potomac MT Please vote no on removing trapping set backs on gated public roads. These roads are important recreational access for many types of activities. I use these roads for running, hiking and off leash exercise with my dogs. To accommodate one special interest group at the detriment of all other users on public land is very wrong, especially since the current regulations allow trapping and only require the trapper to walk a short ways from roads. Please vote No.

43 Annette Billings MT In this modern day I believe trapping is a barbaric method used for hunting. I can go on and on about my reasons for why I feel this way. Including how an animal suffers needlessly after being trapped Domestic animals often become prey to these horrible torture devices. I pray that these devices will be taken off of public lands so we can feel free to access them again without any fear for ourselves and our domestic animals. One day I pray these torture devices will be eradicated from our lands permanently.

44 Betty W Marr ROANOKE VA Please, no baited traps and none near roadways. Ideally, no trapping.

- 45 Ruth Schaut Munising MI Ban trapping. It's cruel & unnecessary .
- 46 Lynn Ciappenelli Worcester MA There should be no traps of any kind anywhere because they are barbaric, brutal and totally unnecessary. The animals should be left alone, wolves especially. Why is it that everytime we see an animal our first impulse is to kill it? We are no longer barbarians or at least I thought we weren't. Leave the animals in peace, this is their world too.
- 47 Valerie Cranmer Belen NM NO! NO! NO! Trapping in any form is outdated and barbaric and must be banned!
- 48 Carole Caldwell Heron MT I would say NO! No need to trap period! Public lands belong to everyone, not just trappers!
- 49 Jane Collins Amenia NY Stop trapping and killing wildlife or supporting this. It's totally wrong. Start respecting wildlife and environmental protections. Jane Collins
- 50 Frances Scuteri-Moore Satellite Beach FL No !!!!
- 51 K. Clark Fredonia NY As a frequent visitor to a variety of western states, including Montana, for recreational purposes (mostly hiking) I ask that you vote a resounding NO on this. Putting the public at risk is unacceptable and I would never want to jeopardize my family's safety. I think public safety should always have the greatest priority.
- 52 Pamela Fausty Bedford NY Please think about the wildlife and the suffering of innocent animals including beloved pets. The hunters that are for this cruel, inhumane use of traps are in the minority. The majority of people do not support such senseless methods and the reputation of Montana will suffer along with the animals and those with compassion!
- 53 Deborah Van Damme Las Vegas NV VOTE NO on trapping animals. What a horrific crime to torture any animal in such manner. PLEASE make traps illegal and criminal to use.
- 54 Mary Murphy Bend OR Trapping should be banned...now. Especially baited traps. Traps do not discriminate between humans, domestic pets and wildlife.
- 55 Mimsi Milton Highlands Ranch CO Having traps on publicly traveled roads is unsafe and unnecessary. I will not spend my tourist dollars in a state with such a bad policy.
- 56 Anthony Brandolini Hammonton NJ Looks like youre going in the wrong direction Montana. We are supposed to be beoming more humane. Say NO to any kind of trapping or many will boycott your commerce
- 57 Tim mckenrick boulder MT Dear Sirs. I appreciate the opportunity to comment on the trapping regulations. Thank you for NOT including a trap check time. I would like you to consider the set back from roads and trails to be 50 feet from centerline not from the edge. The edge can vary in interpretations from the hard surface to the right of way, the center line remains consistent. If you are interested in being consistent in the regulations, make the wolf trapping setback 50 feet also. Thank you for your time. Tim McKenrick

- 58 Isabelle Coates Roahsron TX NO to trapping
- 59 Karl Schroeder FL Do you morons have no concern for public safety? Do you have no compassion? How much money are ranchers, trappers and Cabela's putting in your pockets for you to even consider such an idiotic proposal?
- 60 Marion KREUSCHER Miami FL No to trapping. It's wrong
- 61 Lynn Hash Drummond MT The proposed regulations need to be based on science and not on the emotional rhetoric of anti trappers. The FWP needs listen to their educated biologists when deciding on quotas. Free roaming dogs have a huge impact on wildlife. I would like to see more restrictions and fines on their owners.
- 62 Teresa Cutler Missoula MT Please do not allow trapping near roads. As a dog owner, this is a disaster just waiting to happen. I often have my nieces and nephews (children) visit and we will go on walks and hikes with the dogs and I do not want to have to worry about them following the dogs and stepping on a trap also. In my opinion, trapping is a cruel and dated practice that should be prohibited all together...or at least on public lands!
- 63 Joan B Grills BonnerMT Absolutely NOT. Traps on the trails? On the roads? For whose benefit? At whose detriment? God forbid a child steps on one of these traps. NO NO NO NO NO NO
- 64 Penny Friend Helena MT For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions. Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. Currently only approximately 40% of licensed trappers return the voluntary survey. Eliminate the trapping season on all fisher. Issuing a quota for marten in Region 1 and elsewhere. 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill.
- 65 Sue Williams St Petersburg FL Please vote NO on the trapping setbacks.
- 66 Christina Crane Bozeman MT Why not maintain setbacks, even on roads closed to all vehicles except snow mobiles? People with pets and children use these spaces too. Please put public safety first!
- 67 Theresa Froehlich Helena MT Please change the language for setbacks on public land roads and trails. "Roads and Trails – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers.

Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile.” The passage of this proposal would allow trappers to set baited unmarked, secreted, unattended traps and snares right along the very roads coveted by cross country skiers and hikers often accompanied with their children and dogs, which is horribly dangerous. Please OPPOSE! We Propose: For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. Sincerely, Theresa Froehlich

68 Linde Hoff Helena MT 1. For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. 2. Although trappers are required to report the trapping of these 4 species within 24 hours, reported quota numbers commonly change and inconsistency is the norm with annual harvest reports. Wardens have expressed the challenges they have trying to regulate trapping. Poaching of lucrative species such as bobcats has been publicly expressed by wardens and trappers. This proposal makes the tagging more lax when the reigns instead should be tightened. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions. 3. Require furbearer and wolf trappers to report all non-target captures. While FWP's suggested verbiage is a good start, consider this proposal: Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. 4. Remove the word “incidental” from the regulations and replace with the more accurate “excess take” defined as the take of a legally harvestable species after the season is closed or an individual’s possession limit has been met. 5. Formally adopt the current language for ground set, water set and relaxing snares. 6. Clarify the definition of a center swivel to be. 7. Support but eliminate the trapping season on all fisher. 8. Propose instead: Issuing a quota for marten in Region 1 and elsewhere. 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill. 9. Support. TAC - trap check time intervals: We cannot be silent and urge the Wildlife Commissioners the continued need for: - Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals; - A quota, required reporting, shortened seasons and more area closures for trapping beaver; and - Closure of trapping swift fox.

69 Theresa Froehlich Helena MT Please change the language for setbacks on public land roads and trails. “Roads and Trails – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers.

Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile.” The passage of this proposal would allow trappers to set baited unmarked, secreted, unattended traps and snares right along the very roads coveted by cross country skiers and hikers often accompanied with their children and dogs, which out many lives, not to mention their targets lives, in danger! Please OPPOSE! Instead, we Propose: For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. Our Commissioners expressed particular concern regarding the trap set back proposal but elected to open it for public comment. Please help them decide!

2. Change pelt-tagging requirement for fisher, otter, bobcat and swift fox from within 10 days of harvest to within 10 days of the calendar close of season. Oppose: Although trappers are required to report the trapping of these 4 species within 24 hours, reported quota numbers commonly change and inconsistency is the norm with annual harvest reports. Wardens have expressed the challenges they have trying to regulate trapping. Poaching of lucrative species such as bobcats has been publicly expressed by wardens and trappers. This proposal makes the tagging more lax when the reigns instead should be tightened. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions.

3. Require furbearer and wolf trappers to report all non-target captures. FWP proposal "Define “non-target capture” as: “The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to FWP within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call FWP. Exception: Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal.” Animals that may be lawfully trapped are furbearers or wolves for which the season is open and an individual possession limit has not been reached, nongame wildlife and predators. A trapper may NOT trap any game animal, game bird or migratory bird. Propose: While a good start, this verbiage lacks clarity as to which animals must be reported. Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. Currently only approximately 40% of licensed trappers return the voluntary survey.

4. Remove the word “incidental” from the regulations and replace with the more accurate “excess take” defined as the take of a legally harvestable species after the season is closed or an individual’s possession limit has been met. We Support.

5. Formally adopt the current language for ground set, water set and relaxing snares.

6. Clarify the definition of a center swivel to be: “A swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a point no more than five normal chain links from a centered D-ring or base plate attachment point at the center.” We Support,

unless we are provided reasons otherwise. 7. Lower fisher quota in the Cabinet Fisher Management Unit from one to zero. Propose: Support but eliminate the trapping season on all fisher. 8. Create a personal marten quota in Region 1 of 10 per trapper. We Propose instead: Issuing a quota for marten in Region 1 and elsewhere. 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill. 9. Lower bobcat quota in Region 2 from 200 to 150. Support. FWP provided a summary and recommendations from the conclusion of the Trapping Advisory Committee (TAC). 2018 Recommendations 193 KB Other than the first TAC two day meeting, Trap Free attended all of them in their entirety across the state. A major reason for the formation of the TAC was to provide recommendations regarding trap check time intervals. They were not able to do so. An error continues to be repeated that our 2019 trap check bill was for 24 hours. That is false. The language was modified to "daily" trap checks before the language was even finalized. FWP also stated that our mandatory trapper education bill included 24 hour trap checks and that again is completely inaccurate. However, we cannot be silent! We are a Voice for the Voiceless! We must urge the Wildlife Commissioners the continued need for: Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals. A quota, required reporting, shortened seasons and more area closures for trapping. Sincerely, Theresa Froehlich Helena, MT

70 Michael Hoyt Corvallis MT "Please take my comments into consideration when establishing the final regulations regarding trapping in Montana. 1. Changing language for setback on public land roads and trails. I am vehemently opposed to establishing either a 50-foot or no setback for traps set along roads and trails including roads and trails that are closed year-round to motor vehicles but open to snowmobiles. Several times I have unexpectedly encountered traps set on—not “near” on—roads and trails closed to motor vehicles. Because I am an experienced outdoorsman who pays close attention to the surroundings, I avoided stepping on the traps. However, most people who recreate in the outdoors and use closed trails and roads for hiking and/or skiing are not experienced enough to avoid being trapped. Officially allowing the setting of traps closer than 150 feet to any road or trail is establishing bad precedent which will certainly lead to an increase of injury to both people and pets. Please do not allow any setback less than 150 feet for any type of trap. 2. Changing the requirement for pelt-tagging from within 10 days of harvest to within 10 days of the close of season. The regulation as stands is reasonable and should not be changed. If trappers are allowed to delay reporting (tagging), FWP does not receive the information required for early-closure of a season in time to keep an excess number of specific species from being harvested. I am opposed to this proposed change and believe it is nonsensical. 3. Require furbearer and wolf trappers to report all non-target captures. The wording of this proposal is vague and will certainly lead to confusion and intentional misinterpretation. I firmly believe that all trappers should be required to report all non-target captures within 24 hours. Additionally, every trapper should be required to complete the trapping survey and report all animals trapped whether intentional or unintentional—no exceptions. 8. The creation of a personal marten quota in Region 1 of 10 per trapper. I have to assume the intention of this regulation is limit the number of marten being trapped in Region 1. Unfortunately, the wording as put forward will not accomplish that goal as it only limits the number that can be trapped by any one trapper. It would be much better to lower the total

number allowed to be taken in Region 1 and limit the quota for a single trapper to 10. Although a step in the right direction, as worded I cannot support the current change. As worded, I support changes 4, 5, 6, 7, and 9. Thank you for taking my comments into consideration when contemplating the suggested changes to Montana trapping regulations. Sincerely, Michael Hoyt"

71 BP Casbara Hamilton MT The 50 foot setback on roads and trails was defeated in our legislature. Why is it coming back? fifty feet is not enough. One hundred fifty feet is reasonable. We ski and hike with our kids and dogs in these areas and with a 50 ' setback will have to have both on leashes. We use our public lands to let our dogs and children run free. I feel there should be posted signs where there are traps. I have several friends whose dogs were killed by traps on our public lands. I would like to know where the traps are while I am hiking. Please keep the 150' setbacks. Regarding the pelt tagging requirement: 10 days is not unreasonable. It allows more accurate monitoring of data and compliance. Also, exceptions are allowed with current regulations. Regarding non target captures: All non-target captures should be reported within 24 hours to FWP. Any injured or dead animal should promptly be reported to FWP to determine disposition and/or collection of the animal. All trappers should be required to complete the trapping survey and report all trappings. The 40% of licensed trappers who currently return the voluntary survey don't provide enough information. It is a good idea to remove the word "incidental" from the regulations and replace with the more accurate "excess take". Also good idea to formally adopt the current language for ground set, water set and relaxing snares. Good to clarify the definition of a center swivel. Please do lower fisher quota in the Cabinet Fisher Management Unit from one to zero. I believe you should eliminate the trapping season on all fisher until more population studies can be done. Regarding issuing a quota for marten in Region 1 and elsewhere. I am concerned that 10 per trapper doesn't limit the number of marten trapped, it only limits how many a trapper in Region 1 can trap. Yes to lowering the bobcat quota in Region 2 from 200 to 150. I also believe there should be mandatory 24 hour -or at most daily- trap checks to reduce prolonged suffering and facilitate recovery for trapped released animals. This came to my attention when I saw a great blue heron caught in a trap. With the new studies showing the importance of beaver, and with our history of over trapping them, I hope you will look into a quota, required reporting, shortened seasons and more area closures for their trapping. Lastly, please consider the closure of trapping swift fox because of their rapidly declining populations. Thank you, BP Casbara

72 Melissa Frady Livingston MT Dear Montana Fish, Wildlife, & Parks, I am writing to comment on the proposed 2019 Trapping Regulations and Quotas. I will start by saying that I am a Montana citizen that is against the practice of trapping and would like to see trapping discontinued. I am against trapping because it is not fair chase and utilizes baiting which is an unfair advantage. Trapping is non-discriminatory and non targeted species end up in traps. It is inhumane - animals are trapped and left to suffer for an unknown length of time, potentially suffering a slow painful death. With that said, in regards to the proposed regulations: I am in support of the proposed change in language from "open" roads to "Roads & Trails". While the 50 foot setback from the edge of the road is an improvement over the current 30 foot setback from the center of the road, I would like to see this distance increased to

protect non trapping users of roads and trails (small children and pets for example). I do not support the exception that roads closed year round to motor vehicle and OHV use are not subject to these setbacks - they should be subject to setbacks of 50 feet or ideally further. I am in support of the proposed change requiring furbearer and wolf trappers to report all non-target captures that cannot be lawfully trapped and the corresponding language changes that replace “incidental” with “excess take”. It is important to have as much accurate data as possible, and the impacts on non-targeted species should be documented. I am in support of the changes to the 2019 R1 Fisher Quota, the 2019 R1 Marten Quota, and the 2019 R2 Bobcat Harvest in order to maintain a stable and viable population of these species. Thank you for your consideration and the opportunity to comment, Melissa Frady

73 Thomas Jackson stevensville MT The regs should stay as they were no changes needed. the reporting of every incidental is ridiculous and changing the wording to excess take makes it sound like trappers are a bunch of poachers.

74 Lynn S Russell Great Falls MT Absolutely no setback exceptions for traps on public lands. Too many dogs hiking and walking are vulnerable and people too.

75 Jeff Warren Lima MT Montana is a diverse state, weather conditions can change rapidly. The current trap check requirements work for Montana and should not be changed. I support the proposed word changes to what is a closed road in regards to trapping. This clarification needs to be implemented. We are not creating any changes, just clarifying where traps can be placed. Wildlife management decisions need to be based on science. Since the proposed changes to harvest of fisher and martin in R1 and bobcat in R2 are based on population numbers, I support these proposals. All setbacks should be standardized to 50 feet for all species.

76 Steven K Schwab Whitehall MT Dear Commissioners, I love people and animals, and therefore I am in favor of the following regarding trapping. a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions. Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals. A quota, required reporting, shortened seasons and more area closures for trapping beaver. Closure of trapping swift fox. Thank you very much, I appreciate your kind consideration of these proposals. Steven K Schwab

77 Debi Ferris Conner MT Dear Commisioners, Please consider the following comments in your review of current and proposed trapping regulations: 1. Change language for setbacks on public land roads and trails. Minimum 150' setback is necessary from the edge of ALL public roads and trails, including closed, abandoned, unencumbered, unmarked, Kelly-

humped and county roads with no right of way. Traps next to or in water are especially dangerous for public's usage, often deadly to dogs, and also need setbacks AND warning signs for public safety. 2. A 10-day tagging requirement is reasonable, provides data, compliance, and better monitoring. Regulations already allow for exceptions. Tighten the reins, don't make them more lax! 3. Trappers must report ALL non-targeted captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with NO DELAY) be reported to FWP to determine deposition and/or collection of the animal. Trappers must be required to complete the trapping survey and report all trappings. 40% return by current trappers is not acceptable. If no survey/trapping report, no license for the next season. I support: 4. Change "incidental" with "excess take". 5. Formally adopt current language for ground set, water set, and relaxing snares. 6. Clarify the definition of a center swivel. 7. Eliminate trapping season on All fisher. 8. Issue a quota for marten in Region One and elsewhere. Ten martens per trapper doesn't limit the number of martens trapped, it limits only how many a trapper in Region One can trap and kill. 9. Lower bobcat quotas in Region Two from 200 to 150. Finally, I urge Wildlife Commissioners to require: 1. Mandatory 24 hour or at most, daily trap checks. 2. A quota, required reporting, shortened seasons and more area closures for trapping beaver. 3. Closure of trapping Swift Fox. Thank you for considering my comments. Please inform me regarding your decisions. Sincerely, Debra Ferris 121 Medicine Springs Rd Conner, MT 59827 Debra55ferris@gmail.com

78 Jake Dahl Hall MT Separate quotas for trappers and hounds men on bobcats.

79 Christine H Courtley Hoyloke MA Leave the wolves and wildlife and OUR lands alone!!!!!! Just whos in the pockets of ranchers corporations????

80 Maria smith Lafayette IN End trapping for ever !!!

81 LYNDA SQUIRE Boise ID YOU can make a difference stop killing wolves, there is enough room for all of us.

82 Karen Dunnivant Belleville IL Stop trapping wild animals it so inhumane.they deserve to live and Rome free on public property.

83 Kehaulani DenverCO Stop killing one of our only defense to a HEALTHY ECOSYSTEM! Wolves change rivers, balance the forest, and traverse over the entire pacific northwest. They do not understand state boundaries so states shouldn't decide their fate. Enough is enough!

84 Larry D Rattray ProctorMT Thank you for the opportunity to comment. My comments deal with the proposed set back regulations, mostly pertaining to wolves. The trapper's advisory council proposed reducing setback limitations to increase wolf harvest. The area that we trap is in region 2 near St Regis. The terrain there is so steep that the wolves use the roads and it is virtually impossible to set a trap 150 feet from the road without being closer to another road and the wolves don't travel there as a rule anyway. Logging skid trails being the best opportunity for a route they might travel that can be trapped but most of them are straight up and down the mountain and again, inaccessible. Trappers have been using closed roads for many

years because that is how a large majority of the targeted animals, especially wolves and coyotes, travel. Similar to most people, they travel the path of least resistance. This has all been done without much conflict of users. The areas that trappers use are not used by the general public. They do not want to catch someone's dog. If for no other reason than that takes their trap out of production. Separating the wolf regulations into regions could eliminate a lot of the conflict if the department did not want to expand the list of specific roads that are closed to trapping. Roads that are closed should be open to trapping without requiring setbacks. The year round requirement to be considered removes a lot of country that could be trapped. There is no reason that a gated road should not be open to trapping without setbacks until it is opened. Most have seasonal closures with set dates for closure. Virtually the only wolves that we have trapped since it became legal have been on private property, the reason is simple it is the only area where you can legally trap next to a travel route. If we are to have a prayer of controlling the overpopulation of wolves, we need to reduce restrictions on the trappers. They are doing the Department a service by helping control the number of wolves and they are not harvesting enough wolves to cover their costs let alone make a profit. The main reason they are trapping is to give the ungulate population a chance of survival. On a separate note, but pertaining to trapping, Trappers with an incidental catch of wolves on private ground prior to the opening of wolf trapping season should be allowed to keep their catch. We need to reduce the wolf population to the agreed upon quota and then we can look at restrictions.

85 Colleen Shannon Edgewater MD Trapping should be completely banned. It is horrifically cruel and destroys as many non-target animals as the intended victims. Wolves are an important part of a balanced environment. Science supports the necessary place of wolves in the life cycle of healthy ecosystems. They are also an endangered species. How dare our government allow the destruction of a species that is not only necessary, but also the inheritance of all of us?

86 Kenneth F Cordoza Jr Whitefish MT By and large I agree with the proposed changes however I still think 150' foot set backs are unreasonable.

87 Donn Sponholz Helena MT Hello I'd like to comment on proposed changes. I believe the change in wording from "incidental" to "excess take" is splitting hairs. Somebody somewhere has too much time on their hands. Also the "simplifying and clarifying" of regulations is ridiculous. I've read the trapping regulations every year and was never confused once. Nontrappers get thrown into the mix and now everything has to be changed. Seems to me the main reason for the change is so these same folk down the road can use this new data set to impose further restrictions on trapping. I'd like to see this TAC discussion come up with wording to describe how 90% of trapped dogs are in violation of our statewide leash law and it wasn't a nasty trapper ignoring setbacks. I know the discussion of a mandatory trap check wasn't covered this time around but it will be and it is a ridiculous imposition on trappers given required trap modifications and Montana's winter weather. The very people wanting a mandatory check wouldn't send their kids to school or brave the slick roads themselves but are all about requiring trappers to check their sets or risk being a criminal. Traps are not the heinous devices these nontrappers say they are. The 110 fishers released in the cabinet Mt's were all caught with foot

traps and most likely unmodified. Why would wildlife officials use such a barbaric device with endangered species?

88 Jennifer Wheeler Petaluma CA I don't support the change in setbacks. This change would bring about more danger and stress for recreationist and their family and pets who use these areas. Currently, there are no traps nearby or in these safe areas. Its time that Montana Fish Wildlife and Parks represent all Montanans and folks who visit Montana.

89 Maureen Edwards Polson MT For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety.

90 Sarah Moos Calais VT No one relies on trapping for their livelihood anymore. End this cruel barbaric form of animal torture. Once you do, take note of those who MISS beating them to death while "trapped"

91 Liliana Castillo Kansas City KS Opposing to trapping! Leave America's wildlife alone.

92 Constance Collier Tampa FL Trapping is cruel and barbaric should be against the law. Stop selling out wildlife to special interest groups.

93 Sydney Allriud Seattle WA I VEHEMENTLY oppose trap setbacks! They are completely unnecessary and destroy domestic animals and pets. Do not implement this devastating legislation!

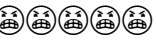
94 Deb Massett Helena MT "☐ I OPPOSE the 50-foot setback from the edge of roads and hiking trails. Propose: For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. ☐ Clarify language for non-target capture reporting requirement. Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. I urge the Wildlife Commission that there is a continued need for: ☐ A quota, required reporting, shortened seasons and more area closures for trapping beaver. ☐ Closure of trapping swift fox. "

95 Carla Bonetti Missoula MT Trapping is a horribly cruel way to kill. I hike with my dogs and do not want them maimed by a trap. The least you could do is make trappers pay for vet bills if domesticated pets are maimed. Why do you still support trapping?

96 Gerald Black MISSOULA MT I urgently ask that trapping setbacks NOT be removed from closed and decommissioned roads. Failure to do this puts my dogs and others in jeopardy and restricts the right of the public to enjoy many areas in Montana. Secondly, removing setbacks enables the killing of more wolves at a time when they are needed as one deterrent in the fight against CWD. We need MORE WOLVES, not less to help control this disease.

97 Pamela Rodden Ft Collins CO These traps are dangerous to pets (my dog when hiking) and human beings. This is cruel. If you are really are “sportsmen” you would not need these awful traps

98 Shelley Thurmond Huntley MT I oppose eliminating any current trap/snare setbacks. As it is, we need more and larger setbacks for public safety. Why should the convenience of disturbed individuals who enjoy the indiscriminate and inhumane killing of wildlife (wildlife that is as much mine as theirs) be more important than public safety?

99 Dolores Zelazo Morris Plains NJ I oppose the trapping...allowing these traps to be placed where people walk with their dogs is dangerously! Animal trapping is gross and abusive. Stop it now!!

100 KC York Hamilton MT No to trap setback exclusions. Montana full Senate voted against this same trap setback exemption. The TAC agreed Regulations need consistency. Trap setbacks are to protect the public. Therefore they need to apply to ALL public roads and trails, including kelly-humped, unnumbered, lacking administrative number. Otherwise, this is unfair to law abiding trappers and misleading to the public. Setbacks need to apply along waterways, ie river and lake banks to implement public safety. All fisher trapping should be closed. Marten should have a quota including Region 1 and all regions instead of per Trapper Region 1. We are not being overrun by fisher and they are not posing a threat to humans or livestock. Reporting of non-target catches, is a good start but the proposal lacks clarity. The language needs to be simple and clear. All non targeted species need to be reported in owner to help gather knowledge which species are getting caught and where in traps set for others. The word “incidental” needs to remain for consistency with federal regulations. All trapped animals need to be reported and the survey needs to be mandatory. Science requires data and monitoring. The public also has as much right to know the status of wildlife. Swift fox trapping needs to close. It is unjust to cater to a handful of trappers destroying these ecologically necessary and rare little animals. Beaver need to be science based managed. They need a quota, mandatory reporting, shorter seasons, and more closed areas to trapping in order to help fulfill their vital roles. We support reducing bobcat quota in Region 2. We do not approve ending the 10 day pelt tagging until after the season ends. Quotas reported are routinely inconsistent. We question the priority or time taken to cross reference the 24 phone reporting requirement with end of season tagging. Poaching esp for the lucrative bobcat remains a concern among the trapping and non-trapping public. Proposals should reduce potential loopholes rather than facilitate more lax regulations. Daily or 24 hour trap checks are needed in order to reduce prolonged suffering and to enable survival for trapped animals. The public should not continually be denied opening this for public comment. It was incorrectly written that the TAC

recommendations agreed legislative committee tabled 24 hr trap check bill. Such a bill never existed as we communicated verbally repeatedly in public comment. The language required daily trap checks. Thank you. KC York President On behalf of Trap Free Montana public lands and Trap Free Montana

101 john wilson missoula MT I think the fisher quota should stay open. We are maintaing in region 1. I do not support the change in bobcat quota. We have plenty of fill for the one's harvested. 2 more years are needed establish more data. I donot agree with reporting of nontarget catches. As this will be used against trappers in the long run.

102 Edward M Hebbe IV Deer Lodge MT I accept and agree with the proposals presented for the 2019 furbearer regulations and harvest quotas. The proposed regulation changes as prepared and presented by the Trappers Advisory Committee are acceptable as well. If however, the talk of a "Mandatory Trap Check Time" is brought up as a subject not on the agenda and discussed, as may be the case, by the opponents who are pushing for such a regulation - I am NOT in favor of any such action, proposal or regulation change. What we currently have in the regulations is acceptable by the trapping community and should be left as is. The problem is perceived and is a want that the opponents of trapping and wildlife management deem necessary. It's completely unenforceable and would waste necessary funds needed for real time regulation violation enforcement. Therefore, should this type of item be brought forward during the finals in August, I would urge you to immediately gavel and drop any said discussion in regards to a mandatory trap check time. Furthermore, I realize public comment is a necessity of conducting proper wildlife management issues. But individuals or groups who want to slowly squeeze the department and direct them to address their wants as necessary needs for wildlife protection instead of management should be placed in the proper receptacle for proper burial. Thank you...

103 Guy Kempthorne Missoula MT I think the 10 per person quota on marten is a bad idea and is not fair to the hard working marten trapper. They are basing the marten population on a harvest that is 100% correlated to the price of marten. Bad, bad idea. Marten prices are terrible and so the harvest is down.

104 James Polson MT *Open Season in mid October like Idaho *Open until end of March *5-day trap check for wolves *Allow incidental trap check for Mountain Lion, 1 or 2 only *Snaring wolves if certified *Allow incidental catch of wolves to residents in coyote sets *Allow hunting wolves over bait *Allow wolf and coyote trapping on game management areas *Redefine open roads so that roads not open to wheeled vehicles during trapping season are not subject to set back regulations * Dump the unenforceable pan tension requirements. Pans adjusted at one temperature can be drastically altered by dropping or rising temps. They are also affected by pan movement after an animal has been caught. *Squelch the mandatory trap check movement, or make sure it stops at 72 hours. Most trappers will check their traps every day if possible, every other day will cover those that cover more ground. Weather can be a major factor in getting traps checked as can equipment break downs. More active enforcement of trap theft and trap disturbance. * Demand that all research trappers comply with the same regulations fur

trappers have to contend with. They will be more likely to eliminate troublesome regulation if they have to comply with them.

105 Pam McIntosh Norman OK Trap setbacks need to be expanded. Setbacks need expansion in order to protect children, women, and men as they are on public lands enjoying the area they live in. People and their pets are at high risk to being injured or killed in traps set on public lands. Please EXPAND setbacks for all traps and limit the number on public lands. Thank you.

106 Karren kraemer West Yellowstone MT We want more setbacks at a greater distance! Numerous Montanan's use these roads and trails, and we do not want our companion animals tangled up with these dang traps etc. Please consider our opinion!

107 Vicki Regula Gardiner MT Please consider closing high intensity use areas from hikers, dog walkers, and skiers to trapping. Just because roads are closed doesn't mean they aren't being utilized for recreation. Please consider requiring traps be marked. Why do public land users have to worry about their dogs being killed by a trap when recreating on public lands. 50 ft is not far from a trail or road.

108 John Gruber Gardiner MT Allowing trapping on public lands seems to be an outdated regulation. We encourage folks to get outside and enjoy our federal lands. However, I have experienced the horror of having a friends dog die in a trap. General public use and trapping do not mix at all. Please stop this. Not to mention the suffering any trapped animal goes through. As Ghandi said, "the greatness of a nation and it's moral progress can be judged by the way it's animals are treated". A 50 ft setback is not an answer. No trapping is the answer.

109 Paul C Fielder Thompson Falls MT As a Region 1 Marten Trapper and a retired wildlife biologist I oppose the placement of an individual limit of 10 marten per trapper in Region 1. A reduction in harvest does not necessarily mean a reduction in a wildlife population. There are other issues involved with the reduction in marten harvest in Region 1, such as a reduction in trapper access and a reduction in marten fur prices. Lincoln County has usually had the highest marten harvest in Region 1. Most of the marten habitat in Lincoln and adjacent Sanders County is within the Yaak/Cabinet grizzly bear recovery zone. This YC grizzly bear recovery zone as a "core area" of 55%. That means there can be NO OPEN ROADS used for motorized access within the National Forests in the entire grizzly bear recovery zone. No motorized access to 55% of the prime marten habitat surely has caused a reduction in access for marten trappers and thus a reduction in marten harvest, NOT a reduction in the marten population. In contrast, the 55% closed to motorized access by trappers most likely forms a safety zone with good marten numbers. ALSO, with fur prices low right now, few trappers want to put in the extreme effort to try to access the non-motorized portions of the grizzly bear recovery area to trap marten that are now worth about 1/3 the price that they were a few decades ago. Any good biologist will know that harvest trends along do not indicate population trends. There are usually multiple factors affecting a harvest trend. There is no need for an individual harvest quota of 10 marten per trapper in Region 1. Please do not pass this idea that is based on poor criteria.

110 KC York Hamilton MT 1. Support Fisher R1 proposal but trapping of fisher should be closed in all regions. As a infamous Forest Service district manager once said, "It's not like we are being overrun with furbearers." Fisher are an excellent case in point. 2. Marten quotas should be per region more so than per trapper. How many marten are there anyhow? How many are a threat to humans and livestock? Where is the science? 3. Yes to reduce bobcat quotas in R2. 4. Incidental verbiage needs to remain to stay in sync with federal regulations. While this proposal is an improvement, it fails to identify the "legal" trapping of non-target and lacks simplification. How would a trapper know at the time for example that fisher has closed when he catches one in a pine marten set? In addition, for trappers to support their doctrine that trapping is highly regulated then reporting ALL trappings need to required and the survey needs to be mandatory to purchase a license. Species need to be delineated in the survey as well....i.e. not just weasel, skunk. 5. NO to trap setback exclusions. Trap setbacks need to be consistent to increase compliance and comprehension for trappers and for the public. Setbacks need to be increased on ALL public roads and trails. People hiking and skiing don't look to see if the public road is numbered or has administrative signage. Trappers aren't struggling to trap animals and a record number of wolves were trapped and killed this past season. One of these days the wrong dog, inadvertently a child, will be caught in a trap. Trap setbacks are to try to protect the public and their usage on our lands. These setbacks need to apply to waterways as well where some of the most deadly, most injurious, traps are set.

111 Joe Regula Gardiner MT The setbacks need to be further than 50 ft from roads and trails or marked where traps are set. This is public land and recreation users with dogs should not have to be worried about traps killing their dogs.

112 Mike Meister and Marla Mahoney Stevensville MT First, let it be said that we oppose trapping of any kind in the state of Montana; it is an archaic, cruel, and unnecessary practice. That said, we strongly urge you to Lower the fisher quota in the CFMU from 1 to zero. We urge you to Lower the bobcat quota in Region 2 from 200 to 100. We strongly urge you to make Daily trap checks mandatory for all trapping. Mike Meister and Marla Mahoney

113 Marc Cooke Stevensville MT I am opposed to trapping. The department needs to add 24 hour trap checks. Dont change incidental capture. You need wolf trapping quota's for WMU 101. You need a full time employee to work in the wildlife division that will represent the non consumptive Montanan.

Email and Letter Comments

Dear Commissioners,
Please note my comments as follows:

1. A 50 foot setback is not enough footage to protect the public. At a minimum, 150 foot setback is necessary.

- 2.). Changing the pelt tagging requirement for certain species is too lax. From what I understand the requirement in place is hardly enforceable. I think tag reporting should happen for every species within 24 hours. Perhaps this would “encourage” trappers to check their lines daily.
3. Clarify which non-target animals must be reported. Trappers should report ALL non-target animals within 24 hours.
4. Replacing the word “incidental” with “excess take”, is good verbiage.
- 5.). Please formally adopt the current language for ground set, water set and relaxing snares.
- 6.). Please clarify the definition of a center swivel in detail.
- 7.). LOWER fisher quota in the Cabinet Fisher Management Unit.....from one to zero. Better yet, eliminate all fisher trapping.
- 8.) Initiate a personal marten quota. 10 per trapper is too vague and unenforceable.
- 9.). Lower bobcat quota in Region 2 from 200 to 150. Do we not have “fur farms” that supply bob cat pelts? How many are needed?

And as always I plead for a 24 hour MANDATORY trap check.

Thank you

Sincerely
Bonney Eken
Missoula, MT

I am writing to ask you to please seriously consider the recommendations proposed by Trap Free Montana. While trappers argue that it is their heritage, that their grandparents did it, their grandparents had traplines and snowshoed into remote places. They did not ride on noisy machines or four wheel drive trucks on roads used by the public.

We had two dogs caught in traps just off a public road, and within 100 yards of our property. They were left in 0° weather. One died after finding her way home in four days. The other, a pup, lived four years with an open bleeding, raw wound, even after multiple surgeries. She finally died.

We have come across traps in public streams where children play.

If someone were to take their dog out in the woods and painfully secure them to a tree by their foot or neck and leave them there for even a few hours, they would be charged with animal cruelty. How can this be any different when the animal is not domesticated?

I just don't understand the need to cater to such a small population of “recreationists” at the pain and expense of the public's wild animal population.

Thank you for thinking of the rest of us...our heritage... to be able to enjoy our forests safely and with the hope of seeing a secretive lynx or bobcat or martin.

Jan Carr

I was reviewing the Commission Agenda Item Cover Sheet and had some comments.

I would like to recap the meetings we as trappers from Region One and Two had with both regional offices this spring. It was us as trappers, during the first meetings, that requested more data from Region One on martin harvest data and the concern that numbers seemed to be declining. We also brought up fishers as well. In Region Two we talked about our concern for the martins in Region One and asked for more data on bobcat harvests in Region two.

Then during the FWP regional Trappers meetings later in spring wildlife biologist Jesse Coltrane, did share data that did suggest that our concerns were valid and that she would support setting a quota on martins for Region One. She also presented the results from a major fisher study that had taken place over the past winter. After a lot of back and forth discussion a vote was taken by those in attendance. It was agreed to reduce the quote to zero in region one with some assurance that denning boxes would be tried to improve recruitment in the population.

Coltrane has secured some funding for materials to construct the boxes. Members of the trapper's groups are going to be building the boxes, suppling additional funding and will be assisting in placing the boxes this fall. It is our goal to return the fisher population to a sustainable population.

In Region Two's second meeting, biologist Tyler Parks and wildlife manager, Mike Thompson presented harvest data on bobcats. After answering many questions, it was voted to reduce the quota from 200 to 150 for the 2019/2020 season in Region Two. The data would be reviewed in following years and quotas would be adjusted as needed.

It was important to trappers that changes in one region would not cause issues In the others and we were assured that that would not be a problem. As wildlife managers and biologists agreed that species should be managed by regions.

Roads and Trails. From our stand on this issue we have been asking for better definition on roads and enforcement and do support this proposal.

Pelt tagging. Again, we do support this proposal. It frees up trappers and FWP personnel time and will accomplish the same goal.

Reporting non-target captures. This is something that has been going on for quite some time and I see no problem with this request.

The word incidental. Appeasing someone's preference seems petty but our goal is to get through this.

Formal Language. If adopting existing language is necessary, please do.

Clarify center swivels. This wording proposed will be good and easy to interrupt.

Fisher Quota. At FWP spring meeting we had a majority of trappers vote to support this.

Martin Quota. It was asked for by trappers and have very little opposition to this.

Bobcat Quota, This was also voted on and supported by trappers at the spring meeting.

My only regret is that recommendation #12 from the TAC is not in these items. The issue of, Wolf Management Areas, was discussed in length at all four of our meetings with Regional wildlife managers. This is something that we will keep pushing for. This equates to managing wolves like almost all of our game animals and most furbearers here in Montana.

It is our goal to work with FWP assisting in Wildlife Management.

Thank you for your service and the FWP personnel that we work with.

Tom Fieber

Board member, Montana Fur Harvesters

Member of Montana Trappers Association

Polson Mt

Dear Sirs:

Concerning the 2019 Trapping Regulations and Quotas-Proposed I would like to make the following comments even though not a resident of your state but I join all Montana residents and others throughout the country who care about Montana's wildlife to the extent that Trap Free Montana does:

1. Change language for setbacks on public land roads and trails. "Roads and Trails – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile."

***Passage of this proposal would allow trappers to set baited unmarked, secreted, unattended traps and snares right along the very roads coveted by cross country skiers and hikers often accompanied with their children and dogs SOMETHING VERY UNSAFE AND DANGEROUS FOR DOMESTIC PETS AND SMALL CHILDREN.

THEREFORE I MOST VIGOROUSLY OPPOSE!

And instead, I propose: For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, Kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often

deadly to dogs, and also need setbacks and/or warning signage for public safety.

You Commissioners expressed particular concern regarding the trap set back proposal but elected to open it for public comment and I thank you for doing so

2. Change pelt-tagging requirement for fisher, otter, bobcat and swift fox from within 10 days of harvest to within 10 days of the calendar close of season.

I again most vigorously OPPOSE

:

Although trappers are required to report the trapping of these 4 species within 24 hours, reported quota numbers commonly change and inconsistency is the norm with annual harvest reports. Wardens have expressed the challenges they have trying to regulate trapping. Poaching of lucrative species such as bobcats has been publicly expressed by wardens and trappers. This proposal makes the tagging more lax when the reigns instead should be tightened. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions.

3. Require furbearer and wolf trappers to report all non-target captures. FWP proposal "Define "non-target capture" as: "The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to FWP within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call FWP. Exception: Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal." Animals that may be lawfully trapped are furbearers or wolves for which the season is open and an individual possession limit has not been reached, nongame wildlife and predators. A trapper may NOT trap any game animal, game bird or migratory bird.

I Strongly Propose:

While a good start, this verbiage lacks clarity as to which animals must be reported. Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. Currently only approximately 40% of licensed trappers return the voluntary survey.

4. Remove the word "incidental" from the regulations and replace with the more accurate "excess take" defined as the take of a legally harvestable species after the season is closed or an individual's possession limit has been met.

I most strongly SUPPORT

.

5. Formally ADOPT the current language for ground set, water set and relaxing snares.

6. Clarify the definition of a center swivel to be: "A swivel located on the underside of the trap as near

the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a point no more than five normal chain links from a centered D-ring or base plate attachment point at the center.

I most strongly SUPPORT, unless I am provided reasons otherwise.

7. Lower fisher quota in the Cabinet Fisher Management Unit from one to zero.

I strongly PROPOSE: Support but eliminate the trapping season on all fisher.

8. Create a personal marten quota in Region 1 of 10 per trapper.

I PROPOSE instead: Issuing a quota for marten in Region 1 and elsewhere. 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill.

9. Lower bobcat quota in Region 2 from 200 to 150.

I most strongly SUPPORT.

However, I and others who cannot be silent about the truly humane treatment of our wildlife in this country feel we must CONTINUOUSLY urge the Wildlife Commissioners the continued need for: Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals.

A quota, required reporting, shortened seasons and more area closures for trapping beaver.

Closure of trapping swift fox.

Sincerely,

Richard W. Firth
Mechanicsville, VA

I urge your committee on trapping to follow the guidelines outlined below to help prevent prolonged suffering to any animals being trapped as well as protecting other animals and children from getting into the traps mistakenly.

Sincerely, Cheyenne Wilmers

To the FWP Wildlife Commission:

Thank you for reading the following comments on the trapping proposals. I attended your last Helena meeting via satellite at the Missoula office, although I did not make a verbal comment at that time.

—I oppose the change in language for set-backs. There should be a minimum of 150 feet of set-back of traps for ALL public roads and hiking trails.

- I approve of a 10 day from “harvest” tagging requirement for fisher, otter, bobcat and swift fox.
- Trappers should have to report ALL non-target captures within 24 hours to FWP.
- I support the removal of the word “incidental” and replacement of it with “excess take”.
- I support formally adopting the current language for ground-set, water-set and relaxing snares.
- I support clarifying the definition of “center swivel”.
- I support lowering the quota on fisher in the Cabinet Fisher Management Unit from one to zero. Better, eliminate the trapping of fisher altogether.
- I support lowering the bobcat quota in Region 2 from 200 to 150 (or less).

I also urge the commission to:

- Adopt a 24 hour trap check requirement.
- Shorten the seasons and have more area closures for the trapping of beaver.
- Close trapping of swift fox altogether.

Sincerely,
Peg Brownlee
Florence, MT
Member of Footloose and Trap-Free Montana Public Lands

Here are comments, due July 14, 2019:

1. For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety.
2. Although trappers are required to report the trapping of these 4 species within 24 hours, reported quota numbers commonly change and inconsistency is the norm with annual harvest reports. Wardens have expressed the challenges they have trying to regulate trapping. Poaching of lucrative species such as bobcats has been publicly expressed by wardens and trappers. This proposal makes the tagging more lax when the reigns instead should be tightened. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions.
3. Require furbearer and wolf trappers to report all non-target captures. While FWP's suggested verbiage is a good start, consider this proposal: Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings.

4. Remove the word “incidental” from the regulations and replace with the more accurate “excess take” defined as the take of a legally harvestable species after the season is closed or an individual’s possession limit has been met.
5. Formally adopt the current language for ground set, water set and relaxing snares.
6. Clarify the definition of a center swivel to be.
7. Support but eliminate the trapping season on all fisher.
8. Propose instead: Issuing a quota for marten in Region 1 and elsewhere. 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill.
9. Support.

TAC - trap check time intervals:

We cannot be silent and urge the Wildlife Commissioners the continued need for:

- Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals;
- A quota, required reporting, shortened seasons and more area closures for trapping beaver; and
- Closure of trapping swift fox.

Linde R. Hoff

Helena, MT 59601

Wildlife Commissioners:

1. We need mandatory 24 hour or daily trap checks. This would reduce suffering and help recovery of trapped animals not to be trapped.
2. There should be a quota and required reported and shortened seasons and more area closures for trapping of BEAVER.
3. Closure of trapping swift fox.
4. A minimum of 150 foot trap set back from the edge of all public roads and hiking trails including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away. Trap setbacks from water and with signage for public safety.
5. A 10 day tagging requirement report is reasonable, provides data, compliance, better monitoring and the regs already allow for exceptions.
6. Trappers should have to report ALL non-target captures within 24 hours to FWP. Trappers should be required to complete the trapping survey and report all trappings.

7. Remove the word **incidental** from the regulations and replace with the more accurate 'excess take' defined as the take of a legally harvestable species after the season is closed or the persons possession limit has been met.
8. Formally adopt the in Cabinet Fisher Management Unit from one to zero. Eliminate the trapping season on all fisher.
9. Issue a quota for marten in region 1 and elsewhere.
10. Lower bobcat quota in region 2 from 200 to 150.

Suzanna McDougal
Hamilton, MT 59840

Dear commissioners:

I am writing to oppose the new trapping proposal below:

<http://fwp.mt.gov/doingBusiness/insideFwp/commission/meetings/agenda.html?coversheet&topicId=>

I don't support changing the term "incidental capture" to rename it "excess take."

I don't support the change in setbacks. This change would bring about more danger and stress for recreationists and their families and pets who use these areas. Currently, there are no traps nearby or in these safe areas.

One hundred thirty wolves were trapped and killed last year. We don't need to open these areas and make it easier to trap wolves while increasing the danger to individuals that use these areas to ski, hike, and ride.

The 2019 Montana Legislature didn't support the trap setback bill. Changing the setbacks is unacceptable.

Thank you for your attention to this matter.

Sincerely,

Catherine Frizat

The 50 foot setback on roads and trails was defeated in our legislature. Why is it coming back? fifty feet is not enough. One hundred fifty feet is reasonable. We ski and hike with our kids and dogs in these areas and with a 50 ' setback will have to have both on leashes. We use our public lands to let our dogs and children run free. I feel there should be posted signs where there are traps. I have several friends whose dogs were killed by traps on our public lands. I would like to know where the taps are while I am hiking. Please keep the 150' setbacks.

Regarding the pelt tagging requirement: 10 days is not unreasonable. It allows more accurate monitoring of data and compliance. Also, exceptions are allowed with current regulations.

Regarding non target captures: All non-target captures should be reported within 24 hours to FWP. Any injured or dead animal should promptly be reported to FWP to determine disposition and/or collection of the animal. All trappers should be required to complete the trapping survey and report all trappings. The 40% of licensed trappers who currently return the voluntary survey don't provide enough information.

It is a good idea to remove the word "incidental" from the regulations and replace with the more accurate "excess take".

Also good idea to formally adopt the current language for ground set, water set and relaxing snares.

Good to clarify the definition of a center swivel.

Please do lower fisher quota in the Cabinet Fisher Management Unit from one to zero. I believe you should eliminate the trapping season on all fisher until more population studies can be done.

Regarding issuing a quota for marten in Region 1 and elsewhere. I am concerned that 10 per trapper doesn't limit the number of marten trapped, it only limits how many a trapper in Region 1 can trap.

Yes to lowering the bobcat quota in Region 2 from 200 to 150.

I also believe there should be mandatory 24 hour -or at most daily- trap checks to reduce prolonged suffering and facilitate recovery for trapped released animals. This came to my attention when I saw a great blue heron caught in a trap.

With the new studies showing the importance of beaver, and with our history of over trapping them, I hope you will look into a quota, required reporting, shortened seasons and more area closures for their trapping.

Lastly, please consider the closure of trapping swift fox because of their rapidly declining populations.

Thank you,

BP Casbara

Please accept my comments on the following trapping proposals:

- **I OPPOSE the 50-foot setback** from the edge of roads and hiking trails.
Propose: For consistency with the wolf trapping regulations and for the public's safe use of our public lands, **a minimum 150 foot trap set back** is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety.

- **Clarify language for non-target capture reporting requirement.** Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings.

I urge the Wildlife Commission that there is a continued need for:

- **A quota, required reporting, shortened seasons and more area closures for trapping beaver.**
- **Closure of trapping swift fox.**

Respectfully submitted,

Deborah Massett

Helena, MT 59601

Dear Montana Fish, Wildlife and Parks Commission,

Regarding trapping, we would like to suggest the following.

1. For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety. Traps set next to or in water are also dangerous to non-target animals like deer or water birds.

2. Please make pelt-tagging requirement for fisher, otter, bobcat and swift fox to a 10 day tagging requirement, which is reasonable, provides data, compliance and better monitoring. The regulations already allow for exceptions. Better yet, close the trapping season completely on fisher, otter and swift fox to help maintain the small populations of these animals in Montana. There are people who like to see and photograph these animals and with so few left because of trapping, not many people ever get to see them. They are worth far more to the Montana economy alive than dead. 3. Please require furbearer and wolf trappers to report all non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. Currently only approximately 40% of licensed trappers return the ?voluntary survey.? If trapping is supposed to help the MDFWP track the wildlife populations as they claim, all licensed trappers should be required to return the survey.

4. Please remove the word ?incidental? from the regulations and replace with the more accurate ?excess take? defined as the take of a legally harvestable species after the season is closed or an individual?s possession limit has been met.

5. Please formally adopt the current language for ground set, water set and relaxing snares.

6. Please clarify the definition of a center swivel to be: ?A swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a

point no more than five normal chain links from a centered D-ring or base plate attachment point at the center.? 7. Please lower the fisher quota in the Cabinet Fisher Management Unit from one to zero or even better, eliminate all trapping on fisher everywhere in Montana. There is no logical reason for extirpating fisher from Montana just to appease a few trappers.

Also, eliminate all trapping of the endangered swift fox with complete closure of trapping this beautiful animal, to ensure that that species survives.

8. Please issue a low set quota for marten in Region 1 and everywhere in Montana. The number of marten trapped needs to be limited because of the decline in the martin population in Montana.

9. We support lowering the bobcat quota in Region 2 from 200 to 150.

Because of the apparent decline in the bobcat population, we haven't seen a bobcat for over 10 years, and have not heard a single report of a bobcat causing damage. Why allow so many to be killed? Also, we support required reporting, shortened seasons and area closures for beaver, which are a keystone Montana animal. Their beneficial activities help save water and provide habitat for a large number of other wildlife. These beneficial characteristics are extremely important with declining species, hotter summers, and earlier runoff of the snow. Beaver should only be killed if they are causing a specific problem and for no other reason.

10. Please require mandatory, 24 hr or at most, daily, trap checks to reduce prolonged suffering and facilitate recovery for trapped animals that need to be released. After rehabilitating wildlife for 50 years, we know the agony that long periods in a trap, with no water or food can cause an animal. Also, eagles, hawks and other protected birds might be saved if the traps are checked daily. I doubt if you or the trappers who set the traps would like to be in a trap for several days, until you die of thirst. It is not very pleasant to think about, is it?

So why should animals that have done nothing to deserve being tortured be treated like that?

Sincerely,
Bob and Judy Hoy
Stevensville, MT

Dear Montana FWP,

I see that you are considering some trapping regulation changes today. Please consider my comments on some of these proposals:

Regarding proposal #1, I strongly support this in which fisher trapping would be reduced to zero. There just isn't any reliable information on fisher numbers, but we all know they are at risk.

Proposal #2 specifies a limit of 10 marten per trapper in Region 1. This should be reduced more, to possibly five. Trapping is a recreational activity, and killing five marten is enough for this sport per season.

Regarding proposal 3 on bobcats... I urge you to reduce this more from the proposed 150 quota in Region 2. Please factor in the cheating done by trappers when you set this quota. The numbers trapped are always more than reported in a region. Be realistic here.

Finally, DO NOT remove setbacks from any roads, whether closed to motor vehicles or not. As someone who has had two pets caught in traps, I can't imagine why you are proposing this. If trappers are so lazy they can't deal with a setback, perhaps they should trap elsewhere.

Thank you,

Michael H Koeppen
Florence, MT

Torturing animals is illegal in every context except trapping. Animals caught at random die in pain from thirst and hunger, or free themselves by chewing off a leg. Most wildlife has already been destroyed, and in a sane civilization, preserving the small fraction left would be a priority. Please ban trapping!

Carol Marsh

To the Montana Fish, Wildlife and Parks,

Concerning the 2019 Trapping Regulations and Quotas-Proposed

I oppose the following proposed regulations:

1. Change language for setbacks on public land roads and trails. "Roads and Trails – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile."

Instead, I agree with Trap Free Montana's Proposal: For consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety.

I oppose:

2. Change pelt-tagging requirement for fisher, otter, bobcat and swift fox from within 10 days of harvest to within 10 days of the calendar close of season.

The original 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions.

For the next regulations, **while it is a good start, this verbiage lacks clarity** as to which animals must be reported.

3. Require furbearer and wolf trappers to report all non-target captures. FWP proposal "Define "non-target capture" as: "The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to FWP within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call FWP. Exception: Any such animal that is injured or dead must

promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal.” Animals that may be lawfully trapped are furbearers or wolves for which the season is open and an individual possession limit has not been reached, nongame wildlife and predators. A trapper may NOT trap any game animal, game bird or migratory bird.

Propose instead that: Trappers should have to report ALL non-target captures within 24 hours to FWP. *Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal.* Trappers should also be required to complete the trapping survey and report all trappings.

I support:

4. *Remove the word “incidental” from the regulations and replace with the more accurate “excess take” defined as the take of a legally harvestable species after the season is closed or an individual’s possession limit has been met.*

I support:

5. *Formally adopt the current language for ground set, water set and relaxing snares.*

I support:

6. *Clarify the definition of a center swivel to be: “A swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a point no more than five normal chain links from a centered D-ring or base plate attachment point at the center.”*

I support this next one but **eliminate the trapping season on all fisher.**

7. *Lower fisher quota in the Cabinet Fisher Management Unit from one to zero.*

On the next (no. 8), I **agree** with Trap-Free Montana's proposal of **issuing a quota for marten in Region 1 and elsewhere.** 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill.

8. *Create a personal marten quota in Region 1 of 10 per trapper.*

And finally, I support:

9. *Lower bobcat quota in Region 2 from 200 to 150.*

In Addition there is a continued need for:

- **Mandatory, 24 hr or at most, daily, trap checks.** This would **reduce prolonged suffering** and facilitate recovery for trapped released animals.
- **A quota, required reporting, shortened seasons and more area closures for trapping beaver.**
- **Closure of trapping swift fox.**

Thank you for your work and attention on this. I am a 4th generation Montanan and believe our **public lands must be safe for ALL users.**

Dr. Ivy Merriot
Bozeman, MT

LTE Why I Stopped Trapping – Miles City

https://billingsgazette.com/opinion/letters/why-i-stopped-trapping-in-montana/article_8a49d965-f85a-58f2-9596-12e88e0628f5.html

Anja Heister's commentary on June 22 correctly pointed out the inaccuracies of Thomas Zwick's June 15 commentary regarding trapping on public lands.

I'd like to speak from a more personal level. My dad trapped in the Beartooth Mountains in the 1930s and 1940s as a way to supplement the family income, but by the time I took up the craft in the 1960s it was for recreation. I followed my dad's rules, trapping only on our own land and checking my trapline daily to make sure animals did not suffer needlessly.

But what I found was that animals do suffer with leg hold traps, regardless of how often you check your trapline. In their frantic efforts to escape the pain and trauma of being caught, they make difficult choices, including sometimes chewing off their own legs to escape.

Several years into my trapping, I caught a family cat, even though I was trapping over a mile from our ranch house. He couldn't survive two broken front legs, and I pulled my trapline that day and I've not trapped since.

Don't kid yourself, trapping is not a harmless sport, and as I found out, there are many other ways to enjoy nature than setting traps for animals . Especially on public lands.

Sherm Weimer
Miles City

Constance J. Poten
Missoula, MT 59802

1. ban all killing of mt [lions](#). no quota.
2. ban all bird killing - no killing of any birds trying to stay alive in montana.
3. ban all elk killing
4. ban all black bear killing\
5. ban all sheep killing.
6. ban all deer and antelope killing\

this comment is for the ublci record. it is all murderous, baae, evil, wicked spending of american time by those who ignorant to understand animals have a right to life too. they have a right to life. this comment is for the public record. please receipt. jean publiee jean

While I would like to see trapping eliminated, at least on public lands, at least we could do the following:

- **Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals.**
- **A quota, required reporting, shortened seasons and more area closures for trapping beaver.**
- **Closure of trapping swift fox.**

Thank you for considering these requests.

Cathy Reich

Superior, MT

Please make the trap checking 48 hours instead of 24

Russell Schaeffer

In regards to the 9 proposed trapping regulations:

Proposal 1: Change language for setbacks on public land roads and trails. "Roads and Trails – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. Exception: Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile."

Passage of this proposal would allow trappers to set baited unmarked, secreted, unattended traps and snares right along the very roads coveted by cross country skiers and hikers often accompanied with their children and dogs.

I OPPOSE!!!!

Instead, for consistency with the wolf trapping regulations and for the public's safe use of our public lands, a minimum 150 foot trap set back is necessary from the edge of ALL public roads and hiking trails, including closed, abandoned, unnumbered, unmarked, kelly-humped, and county roads with no right away! Traps set next to or in water are especially dangerous for the public's usage, often deadly to dogs, and also need setbacks and/or warning signage for public safety.

Proposal 2 seeks to change pelt-tagging requirement for fisher, otter, bobcat and swift fox from within 10 days of harvest to within 10 days of the calendar close of season. I OPPOSE!

Although trappers are required to report the trapping of these 4 species within 24 hours, reported quota numbers commonly change and inconsistency is the norm with annual harvest reports. Wardens have expressed the challenges they have trying to regulate trapping. Poaching of lucrative species such as bobcats has been publicly expressed by wardens and trappers. This proposal makes the tagging more lax when the reigns instead should be tightened. A 10 day tagging requirement is reasonable, provides data, compliance, better monitoring and the regulations already allow for exceptions.

Proposal 3: Require furbearer and wolf trappers to report all non-target captures. FWP proposal "Define "non-target capture" as: "The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to FWP within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call FWP. Exception: Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal." Animals that may be lawfully trapped are furbearers or wolves for which the season is open and an individual possession limit has not been

reached, nongame wildlife and predators. A trapper may NOT trap any game animal, game bird or migratory bird.

I propose that while this is a good start, this language lacks clarity as to which animals must be reported. Trappers should have to report ALL non-target captures within 24 hours to FWP. Any such animal that is injured or dead must promptly (with little or no delay) be reported to FWP to determine disposition and/or collection of the animal. Trappers should also be required to complete the trapping survey and report all trappings. Currently only approximately 40% of licensed trappers return the voluntary survey.

Proposal 4 seeks to remove the word "incidental" from the regulations and replace with the more accurate "excess take" defined as the take of a legally harvestable species after the season is closed or an individual's possession limit has been met.

I SUPPORT!!

Proposal 5 seeks to formally adopt the current language for ground set, water set and relaxing snares. Proposal 6 seeks to clarify the definition of a center swivel to be: "A swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a point no more than five normal chain links from a centered D-ring or base plate attachment point at the center."

I support unless provided reasons otherwise.

Proposal 7 seeks to lower fisher quota in the Cabinet Fisher Management Unit from one to zero.

I support but eliminate the trapping season on all fisher.

Proposal 8 seeks to create a personal marten quota in Region 1 of 10 per trapper.

I propose instead: Issuing a quota for marten in Region 1 and elsewhere. 10 per trapper doesn't limit the number of marten trapped, it limits only how many a trapper in Region 1 can trap and kill.

Proposal 9 seeks to Lower bobcat quota in Region 2 from 200 to 150.

I SUPPORT!!!!

Commissioners, there remains a critical need for Mandatory, 24 hr or at most, daily, trap checks. This would reduce prolonged suffering and facilitate recovery for trapped released animals.

A quota, required reporting, shortened seasons and more area closures for trapping beaver.

Closure of trapping swift fox.

Thank you,

Mary Shabbott

In response to proposed new trapping regs:

1) Decrease fisher harvest in Region One from 1 to 0 beginning with 2019:

I support this proposal. Not even FWP knows how many fisher are in MT and over-harvest seems inevitable. I would recommend the quota for Region Two be 0, as well.

2) Personal quota of 10 marten per trapper for Region One.

I support a harvest limit for marten, as marten numbers have declined greatly in the past five years. Only trappers were contacted regarding reducing the personal quota to 10, not reflecting the public's views. A quota of 0-5 martin/trapper in all five regions seems more proper in response to the decline in marten numbers.

3) Decrease bobcat harvest from 200-150 in Region Two.

Once again, only trappers were consulted on this. Bobcat numbers have been declining and a statewide limit should be imposed. A quota limit of no more than 100 in Regions 1,2,3,4 and 5 would be appropriate.

4) Require furbearer and wolf trappers to report all non-target captures...

I support this proposal as written, however, it needs clarification. There needs to be a 48-hour time limit of checking traps.

5) Clarifying language for trapping setbacks on public land roads and trails.

Closed roads without setbacks must have signs warning of traps which can be anywhere on those roads. The public would be safer if setbacks were required on all roads, even those closed permanently to vehicles.

Thank you.

Vicki Sielaff

Livingston Mt

Below is proposals and statements I would like to add to the meeting comments.

1. Decrease the harvest quota of fisher in Region One from 1 to 0 beginning with 2019 season.

My comment:

This is a good proposal as far as it goes. The unregulated fur trade extirpated fisher and reintroduction has never take firm hold. No one knows—not even FWP—how many there are in Montana. We do know there are very few and trapping is unsustainable. **The quota for fisher should be zero in Region 2 as well, which currently has a quota of 5 plus a female subquota of 1. Traps are indiscriminate. It's impossible to set a specific trap for a female. Over-harvest is likely.**

2. Create a personal quota of 10 marten per trapper in Region 1. The current season for marten is open from Dec. 1 o- Feb 15 and there is no personal quota or overall quota. This season has been in place since at least the early 1980's and there has never been a harvest quota for marten in Region 1.

My comment:

Marten have declined precipitously in the past five years. In 2006, 579 marten were trapped, a high. In 2018, only 185 were trapped. Unlimited trapping from Dec. 1-Feb 15 in all five regions, forest fires and logging have combined to threaten this species. **A quota of zero to five marten per trapper in all five regions would be reasonable in response to this marked decline. Only trappers were contacted regarding this proposal, which means it represents a special interest and does not reflect the public, other organizations or the wildlife watching industry.**

3. Decrease the bobcat harvest quota from 200 to 150 in Region 2.... The season has closed early in every year since 2006 due to the quota being met, and in 2018-19 the season was preemptively closed at 58 days of the possible 75-day season, due to a harvest of 196 bobcats at that time.

My comment:

Again, Montana trappers were the only people consulted on this proposal. Bobcat numbers have steadily decreased, and forest fires have contributed along with trapping to threaten recovery. **It only makes sense to limit the quota statewide because trappers can claim the bobcats they catch are in a region that is still open, even if they don't move their traps to that region. This is a well-known practice. In the interests of a strong recovery during a fragile time, the quota should be set at no more than 100 in Regions 1, 2, 3, 4 and 5.**

4. FWP propose to 1) require furbearer and wolf trappers to report all non-target captures that cannot be lawfully trapped and define "Animals that May be Lawfully Trapped" and 2) Remove the word "incidental" from the regulations and replace it with the more accurate "excess take" defined as the take of a legally-harvestable species after the season is closed or an individual's possession limit has been met.

My comment:

Footloose Montana generally supports this proposal, which was recommended by the Trapping Advisory Committee. It covers domestic animals as well as any animal that cannot be lawfully trapped. It will help us understand the impact of traps on non-target species. However, it needs further clarification. For instance, **non-target captures must be reported within 24 hours of what—the trapping of the animal or the indefinite period following that capture, when a trapper checks traps? This calls into question the lack of a time limit for checking traps. A 48-hour time limit is reasonable to reduce the kill of non-target animals in traps.**

5. FWP proposes to clarify the language for trapping setbacks on **public land roads and trails** by changing it to: Proposed language for the furbearer and trapping regulations: **Roads and Trails** – Ground sets including snares require a 50-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. **Exception:** Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile. Proposed language for the wolf regulations: **Roads and Trails** – Ground sets require a 150-foot setback from the edge of roads and hiking trails that are designated by administrative signs or numbers. **Exception:** Roads closed year-round to motor vehicle and OHV use are not subject to these setbacks, for instance, Kelly-humped roads that are inaccessible to motor vehicle and OHV use but are lawfully accessible by snowmobile.

My comment:

If roads closed year round do not have setbacks at all, it is imperative to have signs warning the public that traps can be placed anywhere on these roads. Hikers, skiers and anglers use these roads with children and dogs. If no warning is posted, the state is liable for injuries and deaths. It's time to consider setbacks for roads permanently closed to vehicles, which is only fair to the public at large.

Thank you for the opportunity to consider and comment on the proposed trapping regulations.

**Sincerely,
Sarah Thurmond
Dillon, MT**

Dear Fish, Wildlife & Parks,

I understand that only Montana trappers were consulted on some of your trapping proposals. As a member of the public and an avid user of public lands, I respectfully submit the following comments on the proposed trapping regulations. Thank you for considering them.

Sincerely,
Anne Garde
Missoula, MT.

COMMENTS ON PROPOSED TRAPPING REGULATIONS It's proposed to decrease harvest quota of fishers in Region one from 1 – 0. I agree with this proposal, but since we know fisher populations are in decline, the quota for fishers should be zero in Region 2 as well.

Please limit the bobcat harvest quota from 200 to 100 statewide, not just in Region 2.

I support the proposal to require trappers to report all non-target captures, but please impose a time limit for checking traps. I think they should be checked every 24-48 hours.

For furbearer trapping, a 50 foot setback from the edge of roads and hiking trails (designated by administrative signs or numbers) is not enough. 150 feet would be more reasonable. Miles away would be best.

It is really important to have setbacks for roads permanently closed to vehicles. It's too dangerous for hikers and anglers and their children and pets without setbacks. At least signs should be posted warning the public about the traps. One day I hope trappers will have something better to do, so that the majority of us can enjoy public lands free of worry.

Please work to phase out ALL traps EVERYWHERE! Traps are indiscriminate killers who's time has come and gone. Have the backbone to stand up to trappers.
#planetbeforeprofit

Thank You for your time!



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June 28, 2019

John Vore, Game Management Bureau Chief
Montana Fish and Wildlife Commission
Montana Fish, Wildlife & Parks
P.O. Box 200701
Helena, MT 59620-0701
fwpwd@mt.gov & fwcomm@mt.gov

Re: Proposed Montana 2019 trapping regulation changes

Dear Chief Vore and Members of the FWP Commission:

On behalf of the Humane Society of the United States and our Montana supporters we urge you to better protect Montana's iconic bobcats, fishers, lynx, martens, foxes, river otters, wolverines, other mesocarnivores (medium-sized mammalian carnivores) and wolves for the majority of Montanans. We applaud some steps proposed by Montana Fish, Wildlife & Parks (FWP), and suggest further conservation changes as follows:

1. **Trapping on closed roads.** The Humane Society of the United States opposes the exceptions that permit trapping on roads closed year-round to motor vehicles and OHVs.

Allowing trapping on closed roads fails to protect significant numbers of outdoor recreationists who snowshoe and cross-country ski on those roads, and the companion animals that they bring along, from those traps.

2. **Pelt-tagging requirements.** The FWP has proposed to change pelt-tagging requirement for fisher, otter, bobcat and swift fox from within 10 days of harvest to within 10 days of the calendar close of season.

We are neutral on this change but hope this will allow law enforcement officers to spend more time investigating and responding to wildlife violations.

3. **Require "furbearer" (that is, "mesocarnivore") and wolf trappers to report all non-target captures.**

We strongly support this change. Mandatory reporting of non-target captures is needed to provide accountability to the citizenry who have a public interest in healthy wildlife populations and a personal

concern for the safety of their companion animals. Traps are inherently non-selective. There is no guarantee that a trap will capture only what the trapper intends to capture.

4. Define “non-target capture” as: “The capture of any animal that cannot be lawfully trapped, including domestic animals, must be reported to FWP within 24 hours. Any such animal that is uninjured must be released prior to the trapper leaving the trap site. If unable to safely release the animal, call FWP. Exception: Any such animal that is injured or dead must promptly be reported to FWP to determine disposition and/or collection of the animal.” Animals that may be lawfully trapped are furbearers or wolves for which the season is open and an individual possession limit has not been reached, nongame wildlife and predators. A trapper may NOT trap any game animal, game bird or migratory bird.

We applaud this change.

5. Remove the word “incidental” from the regulations and replace with the more accurate “excess take,” defined as the take of a legally harvestable species after the season is closed or an individual’s possession limit has been met.

We support this change.

6. Formally adopt the current language for ground set, water set and relaxing snares. Clarify the definition of a center swivel to be: “A swivel located on the underside of the trap as near the center of the base plate as reasonably possible. The swivel can be attached directly to the base plate at the center, attached to a D-ring centered on the base plate, or can be included in the chain at a point no more than five normal chain links from a centered D-ring or base plate attachment point at the center.”

We support this change as it has the potential to reduce injuries and suffering to captured animals.

7. Montana’s bobcats fail to thrive under state-sponsored trapping policies
FWP’s cover sheet for bobcats recommends another reduction in the bobcat quota, this time for Region 2, from 200 to 150 bobcats because the trapper-kill data show a skewed trend in the juvenile to adult ratio, indicating a population decline.

- a. Bobcat density estimates vary and are poorly understood

Bobcats’ density estimates vary widely, including 4 to 6 bobcats per 100 km² (e.g., in Idaho, Minnesota, Utah) and 20 to 28 per 100 km² (e.g. Arizona and Nevada).¹ Yet, Montana, like most other states, has neither reliable statewide population nor trend data; state wildlife managers are wholly reliant on untrustworthy anecdotal data including from hunter surveys, sightings and vehicle collisions.²

Bobcats’ white and black-spotted belly fur is highly desirable on overseas fur markets.³ According to the IUCN:

World demand for Bobcat fur rose gradually in the late 1960s and early 1970s and jumped in the mid-1970s after CITES entered into force, when the pelts of cats listed on Appendix I became legally unobtainable for the commercial fur trade (Nowell and

Jackson 1996). Of particular concern is the recent increase in Bobcat pelt prices from \$85 in 2000, to record highs of \$589 in 2013, \$447 in 2014, and \$305 in 2015, driven by high demand for fur in China, Europe, and Russia (Knudson 2016). The number of Bobcat pelts exported from the U.S. has quadrupled in recent years, climbing to a high of 65,000 in 2013 when pelt prices were highest.⁴

Because the FWP has little knowledge of Montana's bobcat population and its trend over time, the FWP Commission should better protect and conserve bobcats for the people of Montana. A good first step is to study the species empirically and reduce trapping quotas statewide in the absence of population and trend data for the reasons that follow.

b. Bobcats are slow to reproduce and trophy hunting and commercial trapping regimes harm them

While females are sexually mature at about one year of age, they do not breed until after they are two years old.⁵ Males can start to mate at two years of age—but most do not until they become territorial residents—after they are about three years old.⁶

Bobcats can reproduce year-round but typically breed during winter and spring, with most young born during the spring and summer months.⁷ Females prefer secluded den sites to raise their litter of one to six kittens (the average is 3 kittens per litter), and will often move their kittens around between multiple den sites to prevent detection from other predators.⁸ Birth intervals vary, with some bobcats having one litter per year or even one litter every two years.⁹

Bobcat kittens depend on their mothers for survival for eight to ten months.¹⁰ They are weaned at approximately two to three months of age, after which they follow their mothers on daily hunts to master the craft of survival. By wintertime, kittens make their own kills.¹¹

When kittens are self-sufficient, typically between nine and twenty-four (9 to 24) months of age, these subadult transients disperse from their natal areas (the area where they were born) in an attempt to find their own home range and mates. Dispersal distances vary widely among young bobcats.¹²

Trophy hunting and trapping sentient bobcats is cruel. It also orphans dependent kittens, leaving them to starve or to die of predation or exposure. For the foregoing reasons, the FWP Commission should stop the commercial and recreational trapping of bobcats and instead tend to their conservation for the benefit of all Montanans.

c. Trophy hunting and trapping bobcats is unnecessary for livestock protection

Data show that farmers and ranchers lose nine time more cattle and sheep to health, weather, birthing and theft problems than all carnivores (including domestic dogs) combined.¹³ Bobcats are opportunistic hunters. They may kill livestock such as sheep, goats, piglets and poultry, but data show that the true number of those attacks is miniscule.¹⁴

8. Montana's forest mesocarnivore density estimates are poorly understood

Golding et al. (2018) write: forest mesocarnivores, fisher (*Pekania pennanti*), Canada lynx (*Lynx canadensis*), American marten (*Martes americana*), Pacific marten (*M. caurina*), montane red fox (*Vulpes vulpes* spp.) and wolverine (*Gulo gulo*) “are of conservation concern and are listed as

threatened or endangered under the Endangered Species Act (ESA), have been petitioned for listing under the ESA multiple times.”¹⁵ The U.S. Forest Service admits that “there is no current monitoring framework in place to provide meaningful information about these species across larger scales.”¹⁶

a. Fisher

FWP’s cover sheet provides:

Recent surveys have indicated low occupancy of fisher in the Cabinet Mountains, and a recent study has indicated that the West Cabinet population of fisher in Idaho and Montana are small and genetically isolated (Lucid et al 2019). Lucid et al. (2019) suggest that without human intervention, the West Cabinet population of fishers will not persist.

Fisher are heavily reliant on old growth forest types that provide cavity trees for denning. Much of the old growth forest in the Cabinet Mountains has been logged, reducing potential den sites for females. The lack of suitable habitat may be depressing the current population of fishers in Montana.

Fisher were nearly extirpated because of trapping and forest modification by the Twentieth Century.¹⁷ The U.S. Fish and Wildlife Service designated fishers of the Northern Rocky Mountain region as a distinct population segment in 2011 because they are genetically different than other populations.¹⁸ In 2016, the FWS determined that Northern Rockies fishers’ listing under the ESA was warranted because of overutilization and man-made factors, but the agency failed to list them.¹⁹ The U.S. Forest Service considers fisher a “sensitive species” in western Montana and in Idaho.²⁰ Fishers specialize in porcupines for their diet, although they are capable of consuming a wide variety of prey.²¹ Because their predators had been wiped out, porcupines were girdling young trees, and so foresters wanted to restore mountain lions and fishers to protect forests. Fishers were brought from British Columbia to Montana and Idaho starting in 1959.²²

Despite several fisher-population augmentations from Canada and the Midwest, they were not monitored and their fate is largely unknown, although some recent studies have found a unique DNA from fisher in the Bitterroots that might be from a remnant population.²³ Fishers are not well studied in the Northern Rocky Mountains,²⁴ and yet, the state continues to permit their trapping.

The climate crisis with predicted warmer temperatures, less snow and more rainfall may or may not benefit fishers.²⁵ While capable of long-distance dispersal, fishers require adequate cover to avoid predators, which is harmful for their persistence because of increasing fragmented habitats and projections for forests under a changing climate.²⁶ A ten-year effort to discover fishers in Glacier National Park through empirical methods failed to find any evidence of them.²⁷

For all of these reasons, we support and applaud the FWP’s proposal to stop fisher trapping in Region 1. We suggest, however, that FWP stop fisher trapping statewide.

b. Lynx

Lynx are listed under the ESA as threatened. Their populations are not well monitored, nor does any agency have a good understanding of their populations regionwide.²⁸ Northern Montana and Idaho support lynx populations in greater numbers than elsewhere in the United States, but lynx numbers have decreased since the early 1990s.²⁹ Because lynx are readily trapped in bobcat traps and because they are a look-alike species, we recommend that FWP stop all recreational and commercial trapping of bobcats in Montana.

c. American marten and Pacific marten

FWP's cover sheet for marten recommend setting a quota on them, for the first time since the 1980s, of 10 marten per trapper in Region 1. Yet FWP and trappers admit that the marten populations have declined since 1989. FWP's cover sheet then states: "Fires and logging activity may have altered and/or destroyed marten habitat throughout the region. Unfortunately, we do not have good data on harvest locations prior to 2002, so it is not possible to look at changes in harvest distribution over time." This fails to address the troubles that martens face—or recognize that two species of marten occur in Montana.

Both American marten (*Martes americana*) and Pacific marten (*Martes caurina*), distinct subspecies, persist in the Northern Rocky Mountains.³⁰ The U.S. Forest Service considers martens as a management indicator species on five national forests: Bitterroot, Clearwater, Flathead, Custer-Gallatin and Salmon-Challis. Martens require a mosaic of forest types in their range. Dense canopy cover for resting and denning and mature and old mixed hardwood and conifer throughout their range.³¹ Although martens are considered widespread in the Rocky Mountain region, they experienced a dramatic decrease on the Bitterroot National Forest, a USFS track survey found.³²

Because marten have experienced a decline in their population since the last 1980s because a fisher could be mistaken for a marten, it makes no sense to continue trapping them. We recommend that FWP suspend all marten and fisher trapping in Montana.

d. Wolverine

Wolverine have small population sizes and could potentially be listed under the ESA,³³ particularly as the climate crisis worsens and snowpack becomes more unreliable. Wolverine are difficult to detect because of their extremely low densities and propensity to persist in the harshest of terrains; thus their population status is relatively unknown, although biologists believe their numbers are in decline with perhaps only about 318 individuals (citing Inman et al. 2013).³⁴ Since the 1900s, wolverines' range has contracted significantly and the Rocky Mountain region is one of the few places they still persist—but they require persistent snow cover for survival as they use it to make their dens,³⁵ which is not a given with the climate crisis. Goldman et al. (2018, p. 15) write:

The most recent analyses of wolverine populations in the Rocky Mountain region suggest that populations are small and may have undergone recent reductions. Schwartz et al. (2009) estimated the effective population size, or the approximate number of breeders in a population, in Montana, Idaho, and Wyoming as 35 (95 percent confidence interval [CI]: 28–52). The majority of wolverines in the Rocky Mountain region persist within this area and this small effective population size is therefore of concern (Schwartz et al. 2009). Based on predictive habitat modeling,

Inman et al. (2013) concluded that the western United States could support approximately 644 wolverines (95 percent CI: 506–1881) and estimated that the current population, as of 2013, was approximately 318 wolverines (95 percent CI: 249–926).³⁶

Given that wolverine could soon be listed under the ESA and that they can be caught as non-targets in other traps, we recommend that Montana take steps to better protect wolverine from accidentally being trapped in Montana.

9. Trophy hunting and trapping wolves is cruel and unnecessary for livestock protection

Trapping wolves is inhumane; traps are highly indiscriminate and cause injury, trauma and mortality to wolves, other wildlife and pets, and should not be permitted. According to data from Montana and the U.S. Department of Agriculture (USDA), wolves kill few livestock in Montana, despite the inflated rhetoric.³⁷ USDA data show that the biggest killer of Montana cattle are, in rank order, calving (15,822), weather (14,608), unknown malady (14,062), respiratory (13,356), digestive (9,870) and old age (3,384).³⁸ In 2015, the USDA found that all health maladies, weather and theft caused 92 percent of all unwanted cattle deaths, while wolves caused merely 1.03 percent or (906).³⁹ Even with the USDA's tiny wolf-cattle kill numbers, they are highly exaggerated. That same year, the U.S. Fish and Wildlife Service only confirmed 41 cattle losses by wolves.

The Montana Board of Livestock itself also show minimal losses of cattle and sheep to wolves, grizzly bears and mountain lions. Fig. 1. These tiny losses to ranchers is no reason to persecute wolves with cruel traps.

Fig. 1 Confirmed and probable livestock losses in Montana (data from Montana Board of Livestock) ⁴⁰						
Confirmed livestock losses in Montana, 2015-2017						
	Grizzly bear		Wolf		Mountain lion	
	Cattle	Sheep	Cattle	Sheep	Cattle	Sheep
2018	61	23	45	7	0	50
2017	57	14	50	6	0	29
2016	33	26	46	5	ND	ND
2015	50	32	39	22	ND	ND
Probable livestock losses in Montana, 2015-2017						
	Grizzly bear		Wolf		Mountain lion	
	Cattle	Sheep	Cattle	Sheep	Cattle	Sheep
2018	20	6	13	6	0	13
2017	31	1	8	2	0	2
2016	43	41	11	5	ND	ND
2015	16	1	7	0	ND	ND

10. The Humane Society of the United States does not support cruel, unethical trapping

While we oppose the *trophy hunting*⁴¹ and *commercial and recreational trapping*⁴² of wildlife, we do applaud the FWP for taking steps to curtail some of the worst abuses associated with cruel trapping in this regulation process.

Because wildlife trapping and the sale of wildlife pelts or body parts is antithetical to the North American Model of Wildlife Conservation (NAM)—which, as one of its tenets, eliminated markets for game—the FWP itself cannot support trapping, because it prides itself on relying on the NAM.⁴³ Therefore, FWP must end its strong support of outdated, cruel trapping.⁴⁴

Furthermore, as FWP's own cover sheets on this regulation make clear, market trapping continues to decimate Montana's mesocarnivores. As a result, some mesocarnivores are in severe decline. No one eats them. They are simply trapped by those who wish to display animal parts for bragging rights, or to sell pelts on overseas fur markets for individual gain. We simply cannot support this, nor does the majority of the Montana public, according to a new study that shows only 38.9 percent of Montanans are "traditionalists" who see wildlife only in utilitarian terms.⁴⁵ Many more of us see our treasured wildlife as an important and integral part of our lives and our environment and we value these wildlife for their intrinsic values, including their high intelligence and devoted care of their offspring.

By their design, traps and snares do not distinguish between species. Many non-target species are caught in them, including pet dogs, deer, bald eagles and bears.

If restraining traps or snares are improperly set and not checked frequently, animals exert themselves vigorously in them;⁴⁶ they can sustain debilitating injuries such as broken bones and teeth, cuts to mouth and gums, dislocated shoulders, lacerations, fractures, amputation of digits, paws, or whole legs, physiological stress and or pain, dehydration and exposure to weather.⁴⁷ Restraining traps hold animals until the trapper comes to kill the animal.⁴⁸ Trappers are concerned with undamaged pelts, but not quick and or humane deaths.⁴⁹

Animals released from restraining traps may later die from injuries and/or reduced ability to hunt or forage for food.⁵⁰ Several researchers found that their small-sized study animals who had been caught in traps (or immobilized by drugs) were cannibalized by larger ones.⁵¹

Trapped animals suffer from exposure, thirst, hunger, anxiety, fear, pain, and distress.⁵² Most Americans do not consider trapping "fair chase" hunting.⁵³ As Batavia et al. (2018) write: "...collecting bodies or body parts as 'trophies' is an ethically inappropriate way to interact with individual animals, regardless of the beneficial outcomes that do or do not follow."⁵⁴ While trapping animals and selling their furs and body parts may prove beneficial to one trapper, it harms the public's trust in wildlife management, individual animals, social bonds between animals, and ultimately, ecosystems themselves.⁵⁵

The concepts of fairness in hunting and wildlife values have been well studied and reported.⁵⁶ For instance, in a *survey of more than 3,000 wildlife-management professionals* regarding trapping, most respondents indicated they favored a ban on trapping.⁵⁷ They cited pain, stress and harm to non-target species as the primary reasons for their decision, but wildlife professional were also concerned about trapping's unsporting nature, conflicts with public values, and a lack of need.⁵⁸

11. Conclusion

While the Humane Society of the United States opposes the trophy hunting and commercial and recreational trapping of wildlife, we applaud FWP for taking steps to curtail some of the worst abuses associated with cruel trapping in this regulation process.

We thank you for this opportunity to comment.

Sincerely,

Wendy Hergenraeder
Montana State Director
The Humane Society of the United States

¹ Hunter, L. and P. Barrett. 2011. *Carnivores of the World*. Bobcat *Lynx rufus*. Princeton University Press, p. 34.

² L. M. Elbroch et al., "Contrasting bobcat values," *Biological Conservation* <https://www.springerprofessional.de/contrasting-bobcat-values/13278284> (2017).

³ Elbroch et al., "Contrasting bobcat values."

⁴ Bobcat: *Lynx rufus*. Threats. <https://www.iucnredlist.org/species/12521/50655874#threats>

⁵ Ibid. V. Segura, "A three-dimensional skull ontogeny in the bobcat (*Lynx rufus*) (Carnivora: Felidae): a comparison with other carnivores," Article, *Canadian Journal of Zoology* 93, no. 3 (Mar 2015), <https://doi.org/10.1139/cjz-2014-0148>, <Go to ISI>://WOS:000352214400008.

⁶ Luke Hunter, *Carnivores of the World* (Princeton, New Jersey: Princeton University Press, 2011).

⁷ Crowe, D. M. 1975. Aspects of Ageing, Growth, and Reproduction of Bobcats from Wyoming. *Journal of Mammalogy*, Vol. 56, No. 1, pp. 177-198; Fritts, S. H. and J. A. Sealander. 1978. Reproductive Biology and Population Characteristics of Bobcats (*Lynx rufus*) in Arkansas. *Journal of Mammalogy*, Vol. 59, No. 2, pp. 347-353; Lawhead, D. N. 1984. Bobcat *Lynx rufus* Home Range, Density and Habitat Preference in South-Central Arizona. *The Southwestern Naturalist*, Vol. 29, No. 1, pp. 105-113.

⁸ Arizona Game and Fish Department. Bobcat Fact Sheet: Understanding Bobcat Management in Arizona. Retrieved from <https://www.azgfd.com/PortalImages/files/hunting/Bobcat%20Fact%20Sheet.pdf>. Segura, "A three-dimensional skull ontogeny in the bobcat (*Lynx rufus*) (Carnivora: Felidae): a comparison with other carnivores."

⁹ Hunter, *Carnivores of the World*.

¹⁰ Hansen, Bobcat: Master of Survival. Segura, "A three-dimensional skull ontogeny in the bobcat (*Lynx rufus*) (Carnivora: Felidae): a comparison with other carnivores."

¹¹ Ibid.

¹² Hunter, L. 2015

¹³ The Humane Society of the United States, "Government data confirm that cougars have a negligible effect on U.S. cattle and sheep industries," <https://www.humaneociety.org/sites/default/files/docs/Cougar-Livestock-6.Mar.19-Final.pdf> (2019).

¹⁴ Hunter, L. and P. Barrett, 2011.

¹⁵ Jessie D. Golding et al., *Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach*, (Fort Collins, CO: Rocky Mountain Research, 2018).

¹⁶ Golding et al., *Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach*, ii.

¹⁷ Sue Miller, Michael Schwartz, and Lucretia Olson, *Here today, here tomorrow: Managing forests for fisher habitat in the Northern Rockies*, (Fort Collins, CO 2016); John S Waller, "Status of Fishers in Glacier National Park, Montana," *Northwestern Naturalist* 99, no. 1 (2018), <https://doi.org/10.1898/NWN17-07.1>.

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- ¹⁸ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ¹⁹ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ²⁰ Miller, Schwartz, and Olson, Short Here today, here tomorrow: Managing forests for fisher habitat in the Northern Rockies.
- ²¹ Miller, Schwartz, and Olson, Short Here today, here tomorrow: Managing forests for fisher habitat in the Northern Rockies.
- ²² Miller, Schwartz, and Olson, Short Here today, here tomorrow: Managing forests for fisher habitat in the Northern Rockies.
- ²³ Miller, Schwartz, and Olson, Short Here today, here tomorrow: Managing forests for fisher habitat in the Northern Rockies.
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- ²⁵ Miller, Schwartz, and Olson, Short Here today, here tomorrow: Managing forests for fisher habitat in the Northern Rockies.
- ²⁶ Miller, Schwartz, and Olson, Short Here today, here tomorrow: Managing forests for fisher habitat in the Northern Rockies.
- ²⁷ Waller, "Status of Fishers in Glacier National Park, Montana."
- ²⁸ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ²⁹ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ³⁰ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ³¹ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ³² Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ³³ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ³⁴ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ³⁵ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach.
- ³⁶ Golding et al., Short Multispecies mesocarnivore monitoring: USDA Forest Service multiregional monitoring approach, 15.
- ³⁷ The Humane Society of the United States, "Government data confirm that wolves have a negligible effect on U.S. cattle and sheep industries," https://www.humaneociety.org/sites/default/files/docs/HSUS-Wolf-Livestock-6.Mar_19Final.pdf (2019).
- ³⁸ The Humane Society of the United States, "Government data confirm that wolves have a negligible effect on U.S. cattle and sheep industries."
- ³⁹ The Humane Society of the United States, "Government data confirm that wolves have a negligible effect on U.S. cattle and sheep industries."
- ⁴⁰ George Edwards, 2018. Mr. Edwards notes that these claims are only the ones where ranchers came forward, Wildlife Services verified the claims and then the ranchers contacted the Montana Livestock Losses Board for reimbursement. As such, the claims may be underrepresented.
- ⁴¹ Trophy hunting is a hunt where the primary motivation is to kill wildlife to obtain animal parts (e.g., heads, hides or claws and even the whole stuffed bodies) for display and for bragging rights (for example, trophy hunters pose with the dead animal for a portrait, often for social media), but not for subsistence (putting food on the table.) Chelsea Batavia et al., "The elephant (head) in the room: A critical look at trophy hunting," *Conservation Letters* 0, no. 0 (2018), <https://doi.org/doi:10.1111/conl.12565>, <https://onlinelibrary.wiley.com/doi/abs/10.1111/conl.12565>; Chris T. Darimont, Brian F. Coddling, and Kristen

Hawkes, "Why men trophy hunt," *Biology Letters* 13, no. 3 (2017), <https://doi.org/10.1098/rsbl.2016.0909>, <http://rsbl.royalsocietypublishing.org/content/roybiolett/13/3/20160909.full.pdf>.

⁴² Commercial trapping involves taking the public's wildlife and privatizing it for individual enrichment—a notion at odds with the public trust doctrine (the state should protect and manage wildlife for the benefit of its people) and the North American Model of Wildlife Conservation.

⁴³ Dickson, T. Getting stoked on conservation. *Montana Outdoors*. The magazine of Montana Fish, Wildlife & Parks. May-June 2019 issue. <http://fwp.mt.gov/mtoutdoors/HTML/articles/sketchbook/2019/SBMJ19.htm>

⁴⁴ FWP claims on its website, with no references that, "Fur trapping is highly regulated, biologically sustainable, and an important part of Montana's cultural history and outdoor lifestyle." See: <http://fwp.mt.gov/hunting/trapping/>. Yet, as its own cover sheets attest, many mesocarnivores, bobcats, marten and fisher are in decline because of trapping. Montana's cultural values are shifting dramatically. M. J. Manfredi et al., *America's Wildlife Values: The Social Context of Wildlife Management in the U.S.*, (Fort Collins, Colorado: Colorado State University, Department of Natural Resources, 2018).

⁴⁵ Manfredi et al., *Short America's Wildlife Values: The Social Context of Wildlife Management in the U.S.*

⁴⁶ M. Cattet et al., "An evaluation of long-term capture effects in ursids: Implications for wildlife welfare and research," Article, *Journal of Mammalogy* 89, no. 4 (Aug 2008), <https://doi.org/10.1644/08-mamm-a-095.1>, <Go to ISI>://WOS:000258765000019; R.A. Powell, "Evaluating welfare of American black bears (*Ursus americanus*) captured in foot snare and in winter dens," *Journal of Mammalogy* 86 (2005).

⁴⁷ G. Iossa, C. D. Soulsbury, and S. Harris, "Mammal trapping: a review of animal welfare standards of killing and restraining traps," *Animal Welfare* 16, no. 3 (Aug 2007), <Go to ISI>://000248518900005; S. Harris, C. D. Soulsbury, and G. Iossa, "Trapped by bad science: The Myths behind the International Humane Trapping Standards: A Scientific Review," *International Fund for Animal Welfare*, (Nov. 2005); R. Lemieux and S. Czetwertynski, "Tube traps and rubber padded snares for capturing American black bears," Article, *Ursus* 17, no. 1 (2006), [https://doi.org/10.2192/1537-6176\(2006\)17\[81:ttarps\]2.0.co;2](https://doi.org/10.2192/1537-6176(2006)17[81:ttarps]2.0.co;2), <Go to ISI>://WOS:000237130100010; R. M. Muth et al., "Unnecessary source of pain and suffering or necessary management tool: Attitudes of conservation professionals toward outlawing leghold traps," Article, *Wildlife Society Bulletin* 34, no. 3 (Oct 2006), <Go to ISI>://000242398700020; S. R. Reagan et al., "A passively triggered foot snare design for American black bears to reduce disturbance by non-target animals," Article, *Ursus* 13 (2002), <Go to ISI>://WOS:000229925700032; Cattet et al., "An evaluation of long-term capture effects in ursids: Implications for wildlife welfare and research.;" Powell, "Evaluating welfare of American black bears (*Ursus americanus*) captured in foot snare and in winter dens."

⁴⁸ Iossa, Soulsbury, and Harris, "Mammal trapping: a review of animal welfare standards of killing and restraining traps."

⁴⁹ Harris, Soulsbury, and Iossa, "Trapped by bad science: The Myths behind the International Humane Trapping Standards: A Scientific Review.;" Iossa, Soulsbury, and Harris, "Mammal trapping: a review of animal welfare standards of killing and restraining traps."

⁵⁰ Harris, Soulsbury, and Iossa, "Trapped by bad science: The Myths behind the International Humane Trapping Standards: A Scientific Review.;" Iossa, Soulsbury, and Harris, "Mammal trapping: a review of animal welfare standards of killing and restraining traps.;" Cattet et al., "An evaluation of long-term capture effects in ursids: Implications for wildlife welfare and research."

⁵¹ Lynn L. Rogers, "Effects of food supply and kinship on social behavior, movements, and population growth of black bears in northeastern Minnesota," *Wildlife Monographs, The Wildlife Society* 51, no. 97 (1987); Charles J. Jonkel and Ian McT. Cowan, "The black bear in the spruce-fir forest," *Wildlife Monographs, The Wildlife Society* 27 (1971).

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(<https://www.revealnews.org/article/americas-trapping-boom-relies-on-cruel-and-grisly-tools/>); https://www.instagram.com/p/BAsTyO_SLm8/), January 14, 2016 2016; Born Free, "Victims of Vanity (undercover trapping investigation in New Mexico)," http://www.bornfreeusa.org/a10a1_investigation.php (2011); Iossa, Soulsbury, and Harris,

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- ⁵⁵ J. A. Estes et al., "Trophic Downgrading of Planet Earth," *Science* 333, no. 6040 (Jul 2011), <https://doi.org/10.1126/science.1205106>, <Go to ISI>://WOS:000292732000031.
- ⁵⁶ J. Posewitz, *Beyond Fair Chase: The Ethic and Tradition of Hunting* (Helena, Montana: Falcon Press, 1994); C. A. Loker and D. J. Decker, "Colorado black bear hunting referendum: What was behind the vote?," *Wildlife Society Bulletin* 23, no. 3 (Fall 1995), <Go to ISI>://WOS:A1995RR48000012; S. Kellert and C. Smith, "Human Values Toward Large Mammals," in *Ecology and management of large mammals in North America* (Upper Saddle River, NJ: Prentice Hall, 2000); T. L. Teel, R. S. Krannich, and R. H. Schmidt, "Utah stakeholders' attitudes toward selected cougar and black bear management practices," *Wildlife Society Bulletin* 30, no. 1 (Spr 2002), <Go to ISI>://000175200100002; C.W. Ryan, J.W. Edwards, and M.D. Duda, "West Virginia residents: Attitudes and opinions toward American black bear hunting," *Ursus* 2 (2009); Chris T. Dartmont et al., "Political populations of large carnivores," *Conservation Biology* (2018), <https://doi.org/10.1111/cobi.13065>, <http://dx.doi.org/10.1111/cobi.13065>; Kyle A. Artelle et al., "Hallmarks of science missing from North American wildlife management," *Science Advances* 4, no. 3 (2018), <https://doi.org/10.1126/sciadv.aao0167>, <http://advances.sciencemag.org/content/advances/4/3/eaac0167.full.pdf>; William J. Ripple et al., "Saving the World's Terrestrial Megafauna," *BioScience* (July 27, 2016 2016), <https://doi.org/10.1093/biosci/btw092>, <http://bioscience.oxfordjournals.org/content/early/2016/07/25/biosci.btw092.short>; Chris T. Dartmont et al., "The unique ecology of human predators," *Science* 349, no. 6250 (2015); C. T. Dartmont et al., "Human predators outpace other agents of trait change in the wild," *Proceedings of the National Academy of Sciences of the United States of America* 106, no. 3 (Jan 2009), <https://doi.org/10.1073/pnas.0809235106>, <Go to ISI>://WOS:000262809700051. G. Proulx et al., "Humaneness and selectivity of killing neck snares used to capture canids in Canada: A review," *Canadian Wildlife Biology and Management* 4, no. 1 (2015); Muth et al., "Unnecessary source of pain and suffering or necessary management tool: Attitudes of conservation professionals toward outlawing leghold traps."
- ⁵⁷ Muth et al., "Unnecessary source of pain and suffering or necessary management tool: Attitudes of conservation professionals toward outlawing leghold traps."
- ⁵⁸ Muth et al., "Unnecessary source of pain and suffering or necessary management tool: Attitudes of conservation professionals toward outlawing leghold traps."



July 14, 2019

Montana Fish, Wildlife & Parks
Wildlife Division
PO Box 200701
Helena, MT 59620-0701
fwpwd@mt.gov

Re: 2019 Trapping Regulations and Quotas

Dear Montana Fish, Wildlife & Parks:

On behalf of the Natural Resources Defense Council and our more than 11,000 members and supporters in Montana, we appreciate the opportunity to submit the following comments regarding Montana Fish, Wildlife & Park's ("FWP") proposed 2019 Trapping Regulations and Quotas.

Our comments address four issues. First, we sincerely thank FWP for the time, effort, and expense that it invested in convening the Montana Trapping Advisory Committee ("TAC"). I was grateful for the opportunity to serve as one of its members. Second, with respect to TAC Recommendation 5, while it may be FWP's *position* that it does not have authority to regulate the trapping of predators when done to protect livestock, Montana law does not prevent FWP from doing so. Third, with respect to TAC Recommendation 12, as I informed FWP after the last TAC meeting, I do not agree with or support that recommendation or any expansion of wolf trapping in Montana.

Finally, despite the TAC's inability to reach consensus around the issue of trap checks, we urge FWP and the Fish and Wildlife Commission ("Commission") to continue to consider the adoption of a 24-hour or daily trap check requirement for all restraining traps (including foothold traps and foot snares) and kill traps (including Conibear traps and neck snares) set for all species in the state of Montana.

I. We Thank FWP for Convening the TAC.

We are grateful to FWP for convening the TAC. Doing so constituted a significant investment of agency staff time, effort, travel, and expense. FWP also generously paid for travel expenses for each TAC member. Numerous FWP employees attended one, several, or all of the TAC meetings—often traveling significant distances across the state to do so. The agency also retained a professional facilitator, Virginia Tribe, who did an outstanding job. Many of the issues the TAC discussed were difficult and contentious; Ms. Tribe nonetheless helped our committee reach several consensus recommendations. Given the strong opinions and high level of public interest regarding trapping across the state, it was important and well worthwhile for FWP to convene the

TAC. I appreciated the opportunity to serve on and contribute to the committee, and to meet and learn from the other committee members.

II. Montana Law Does Not Prohibit FWP from Regulating Traps Set to Protect Livestock.

Montana law does not preclude FWP from regulating traps set for predatory animals to protect livestock. During the TAC meetings, FWP explained to committee members that FWP's *position* was that Montana law prevented FWP from regulating traps set for predators to protect livestock. Thus, TAC members reached a consensus, as stated in Recommendation 5, that "FWP's *position* is that it does not have authority over trapping of predators (defined as coyote, red fox and any other individual animal causing depredations upon livestock) when done for purposes of protecting livestock."¹

However, Montana law does not impair FWP's ability to regulate trapping in this situation. While section 81-7-102(1) gives the Montana Department of Livestock ("DOL") authority to conduct predatory animal control, section 81-7-102(3) states that DOL "*shall cooperate with . . . the department of fish, wildlife, and parks*" in doing so. (Emphasis added.) Further, the law makes clear that section 81-7-102 does not "*interfere with or impair the power and duties of the department of fish, wildlife, and parks in the control of predatory animals by the department of fish, wildlife, and parks as authorized by law . . .*" § 81-7-102(4), M.C.A. (emphasis added).

Indeed, Montana laws explicitly authorize FWP to manage and control predators to protect livestock. For example, section 87-1-217 states that FWP's primary goal in managing "large predators" is to "protect humans, *livestock*, and pets." (Emphasis added.) In addition, section 87-5-131(3)(a) says FWP, "pursuant to 81-7-102 and 81-7-103, may control wolves *for the protection and safeguarding of livestock . . .*" (Emphasis added.) These statutes make clear that both FWP and DOL have authority over predatory animal control conducted to protect livestock.

Further, "control" does not necessarily mean "lethal control." "Control" can include both nonlethal and lethal aspects of predator management. See, e.g., § 12.9.1303(4), A.R.M. ("Control of the gray wolf by an agency or an individual may include nonlethal and lethal actions."). Thus, section 81-7-102 does not interfere with FWP's authority to regulate either lethal or nonlethal aspects of predatory animal control.

III. Wolf Trapping in Montana Should Not Be Expanded.

FWP should not expand wolf trapping. TAC Recommendation 12 states that "[t]he Committee recommends that FWP explore opportunities to establish expanded wolf trapping where warranted" through certain, limited measures.² The TAC first discussed this issue on April 3, 2019—the last day of the last TAC meeting. While I originally agreed to the recommendation, after reflection, I communicated to FWP on May 20, 2019, that I did not support it. I also

¹ See Montana Trapping Advisory Committee Recommendations (April 2019) ("TAC Recommendations"), p. 4 (emphasis added).

² See TAC Recommendations, p. 5.

requested that the final TAC Recommendations document be revised to indicate that I, as a committee member, could not agree to Recommendation 12; FWP declined to do so.

There is no reason for Montana to expand wolf trapping. The state currently allows a two-and-a-half-month wolf trapping season with no statewide quota. Each year, Montana trappers kill dozens of wolves. During the 2018-19 season, a record 130 wolves were trapped.³ That was 42 more wolves than were trapped during the previous season. That also means that last season, trapping alone killed more than 15% of the state's estimated population of about 850 wolves. FWP and the Commission should consider restricting, not increasing, wolf trapping in Montana.

IV. FWP Should Require Traps to Be Checked at Least Once Each Day.

Though the TAC did not reach consensus around the issue, FWP and the Commission should continue to consider requiring that all restraining traps (including foothold traps and foot snares) and kill traps (including Conibear traps and neck snares)⁴ set for all species in the state of Montana be checked at least once each day. Such a requirement is needed for several reasons.

First, Montana is one of only three states in the country with no general trap check requirement. The other two are North Dakota and Alaska.⁵ Every other state that allows recreational trapping, as well as all three Canadian provinces that border Montana, require that traps and snares be regularly inspected.

Second, daily trap check requirements are common. Thirty-six states have adopted 24-hour or daily trap inspection requirements for at least some types of traps or trapping situations.⁶ These include western states like Washington, California, Arizona, New Mexico, and Colorado.

Third, numerous scientific studies indicate that 24-hour or daily trap inspections would help reduce the severity of injuries inflicted on captured animals.⁷ Long restraint time is associated with increased exertion, struggling, injury, dehydration, starvation, effects of exposure (such as

³ See <https://flatheadbeacon.com/2019/03/12/montana-pace-record-wolf-hunt/> (last visited July 14, 2019).

⁴ G. Iossa, C. D. Soulsbury, and S. Harris, "Mammal Trapping: A Review of Animal Welfare Standards of Killing and Restraining Traps," *Animal Welfare*, Vol. 16, no. 3 (Aug 2007), pp. 335-352; G. Proulx et al., "Humaneness and Selectivity of Killing Neck Snares Used to Capture Canids in Canada: A Review," *Canadian Wildlife Biology and Management*, Vol. 4, no. 1, pp. 55-65 (2015).

⁵ See Appendix.

⁶ *Id.*

⁷ See, e.g., Andelt, W. F., R. L. Phillips, R. H. Schmidt, and R. B. Gill. 1999. Trapping furbearers: an overview of the biological and social issues surrounding a public policy controversy. *Wildlife Society Bulletin* 27(1):53-64; Butterworth, A. (2017). Marine mammal welfare: Human induced change in the marine environment and its impacts on marine mammal welfare. Cham, Switzerland: Springer, p. 553; Cattet, M., J. Boulanger, G. Stenhouse, R. A. Powell, and M. J. Renolds-Hogland, An Evaluation of Long-term Capture Effects in Ursids: Implication for Wildlife Welfare and Research, *Journal of Mammalogy*, 89(4):973-990 (2008); Halstead, T. D., K. S. Gruver, R. L. Phillips, and R. E. Johnson. 1995. Using telemetry equipment for monitoring traps and snares. *Proceedings of the Great Plains Wildlife Damage Control Workshop* 12:121-123; Welfare Outcomes of Leg-Hold Trap Use in Victoria. (2008). Nocturnal Wildlife Research Pty Ltd., p. 76; Zuardo, T. (2017). How the United States Was Able to Dodge International Reforms Designed to Make Wildlife Trapping Less Cruel. *Journal of International Wildlife Law & Policy*, 20(1), 73-95. doi:10.1080/13880292.2017.1315278.

hypothermia and (for nocturnal animals) sunlight⁸), and capture myopathy (physiological imbalances following extreme struggle and stress).⁹

Fourth, requiring that traps be checked each day would also reduce injury to, and unintentional mortality of, “non-target” species. Between 2010 and 2014, for example, traps and snares in Montana unintentionally captured, injured, or killed at least 89 mountain lions, 12 black bears, three grizzly bears,* four wolves, 21 bobcats, 31 river otters, four wolverines,* three lynx,* three fishers,* nine deer, one elk, one pronghorn antelope, 5 raptors,* and ten badgers, among other species.^{10, 11} These are just the reported incidents. Requiring traps to be checked frequently would increase the chances that these species would be released alive and less seriously injured.

Fifth, wildlife professionals support daily trap inspections. The Association of Fish and Wildlife Agencies (AFWA) Trapper Education Manual urges trappers to “make a commitment to check your traps at least once every day” in order to reduce suffering, more quickly release non-target animals, and actually improve success (by, for example, reducing the chance of predation on an animal caught in a trap).¹² Likewise, in its online trapping course, AFWA treats daily trap checks as a cornerstone of ethical trapping practice, and consistently instructs trappers to perform them.¹³ In addition, AFWA used daily trap checks to develop its Best Management Practices (“BMPs”) for trapping in the U.S.¹⁴ Montana Fish, Wildlife & Parks (“FWP”) promotes these BMPs on its website.¹⁵ The National Trappers Association recognizes the significance of AFWA as one of the “largest international organizations representing professional wildlife conservation employees and governmental wildlife agencies.”¹⁶

Further, in its guidelines for the use of wild animals in research, the American Society of Mammalogists states that most traps should be checked at least once a day,¹⁷ and restraining traps like snares and foothold traps must be checked “twice daily or more often depending upon target species and potential for capture of non-target species.”¹⁸ The American Veterinary Medical

⁸ Nocturnal species that are trapped in Montana include bobcats, raccoons, beavers, muskrat, mink, marten, wolverine, and swift fox. See Foresman, K. R. (2012). *Mammals of Montana* (2nd ed.). Missoula, MT: Mountain Press Pub.

⁹ See, e.g., M. Cattet et al., “An Evaluation of Long-Term Capture Effects in Ursids: Implications for Wildlife Welfare and Research,” *Journal of Mammalogy* 89, no. 4 (Aug 2008); Proulx et al.

¹⁰ See https://www.anhis.usda.gov/anhis/ourfocus/wildlifedamage/sa_reports/sa_pdrs (last visited July 14, 2019); Montana Fish, Wildlife & Parks, Incidental Captures in Montana 2009-2014 License Years (provided Jan. 2016; latest data available).

¹¹ Those species with an asterisk (*) following their name are currently designated as “species of concern” in Montana. From records provided by Montana Fish, Wildlife & Parks, it is not clear which raptors were captured; multiple raptor species are designated as species of concern in the state.

¹² See Association of Fish and Wildlife Agencies, Trapper Education Manual, p. 97 (2005).

¹³ See Association of Fish and Wildlife Agencies, North American Basic Trapper Course, Introduction, available at <https://conservationlearning.org/> (last visited July 14, 2019).

¹⁴ See Association of Fish and Wildlife Agencies, “Best Management Practices for Trapping in the United States: Introduction,” (2006), p. 4.

¹⁵ See <http://fwp.mt.gov/hunting/trapping/> (last visited July 14, 2019).

¹⁶ See <http://www.nationaltrappers.com/trappingfacts.html> (last visited July 14, 2019).

¹⁷ See Sikes, R.S., W. L. Gannon, and the Animal Care and Use Committee of the American Society of Mammalogists. 2011. Guidelines of the American Society of Mammalogists for the use of wild mammals in research, *Journal of Mammalogy*, 92(1):235-253, 244.

¹⁸ *Id.* at 242.

Association opposes the use of conventional foothold traps and states that traps should be checked “at least once every 24 hours.”¹⁹

Finally, in 2017, FWP itself recommended a mandatory trap-check interval:

FWP should have a maximum time allowed legally between trap checks as a means of dealing with the occasional instance of negligence. Such a regulation would allow enforcement to pursue clear cases of negligence and would likely encourage reduced trap check intervals for some who currently check at “too long of an interval.”²⁰

In sum, in order to minimize stress, struggling, exertion, injury, and unnecessary mortality to target and non-target species, and in order to improve enforcement and discourage negligent trap check intervals, we respectfully request that FWP adopt a regulation requiring that all restraining and kill traps and snares set for all species in Montana be visually inspected at least once each day or every 24 hours.

Thank you for considering these comments.

Sincerely,



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¹⁹ See <https://www.avma.org/KB/Policies/Pages/Trapping-and-Steel-jawed-Leghold-Traps.aspx> (last visited July 14, 2019).

²⁰ See Montana Fish, Wildlife & Parks, “Public Comment Summary for June 2017 Trapping Proposal” available at <http://fwp.mt.gov/doingBusiness/insideFwp/commission/meetings/agenda.html?coversheet&topicId=41849575> (last visited July 14, 2019).

Appendix A: Trap Check Requirements in the United States

Table 1: General Trap Check Intervals by State for Live Sets*

	INTERVAL:	BY STATUTE/REGULATION:
ALABAMA	24 hours ¹	ALA. CODE § 9-11-266
ALASKA	None	N/A
ARIZONA	Daily	ARIZ. ADMIN. CODE § 12-4-307(G)(1)
ARKANSAS	Daily	002-00-001 ARK. CODE R. §17.02
CALIFORNIA	Daily	CAL. CODE REGS. tit. 14, § 465.5(g)(2)
COLORADO	Daily ²	COLO. CODE REGS. § 406-3 #302(B)(2)
CONNECTICUT	24 hours	CONN. GEN. STAT. § 26-72
DELAWARE	24 hours ³	DEL. CODE tit. 7, § 705
FLORIDA	24 hours	FLA. ADMIN. CODE r. 68A-24.002(1)
GEORGIA	24 hours	GA. CODE § 27-3-63(a)(3)
HAWAII	No furbearer trapping	HAW. ADMIN. CODE § 13-123-22
IDAHO	72 hours ⁴	IDAHO ADMIN. CODE § 13.01.16.200.01
ILLINOIS	Daily	520 ILL. COMP. STAT. 5/2.33a
INDIANA	24 hours	IND. CODE § 14-22-6-4
IOWA	24 hours	IOWA CODE § 481A.92
KANSAS	Daily	KAN. ADMIN. REGS. § 115-6-5(c)(13)
KENTUCKY	24 hours	KY. REV. STAT. § 150.410(2)
LOUISIANA	Daily	LA. REV. STAT. § 56:260(A)
MAINE	Daily	ME. REV. STAT. tit. 12, § 12255(1)
MARYLAND	Daily ⁵	MD. CODE REGS. 08.03.06.03(E)
MASSACHUSETTS	Daily	321 MASS. CODE REGS. 3.02(e)(11)
MICHIGAN	Daily ⁶	Mich. Wildlife Conservation Order § 3.600(12)(a)
MINNESOTA	Daily	MINN. R. 6234.2200
MISSISSIPPI	36 hours	MISS. CODE ANN. § 49-7-13(4)(d)
MISSOURI	Daily	MO. CODE REGS. tit. 3, § 10-8.510(2)
MONTANA	None	N/A
NEBRASKA	Daily	163 NEB. ADMIN. CODE § 4-001.03A1
NEVADA	96 hours ⁷	NEV. ADMIN. CODE § 503.570(3)
NEW HAMPSHIRE	Daily	N.H. REV. STAT. § 210:13
NEW JERSEY	24 hours	N.J. ADMIN. CODE § 7:25-5.12(i)
NEW MEXICO	Daily	N.M. CODE R. § 19.32.2.11(A)
NEW YORK	24 hours ⁸	N.Y. COMP. CODES R. & REGS. tit. 6, § 6.3(a)(3)
NORTH CAROLINA	Daily	15A N.C. ADMIN. CODE 10B.0110
NORTH DAKOTA	None	N/A
OHIO	Daily	OHIO ADMIN. CODE 1501:31-15-09(G)
OKLAHOMA	24 hours	OKLA. STAT. tit. 29, §5-502(C)
OREGON	48 hours ⁹	OR. REV. STAT. § 498.172(1)
PENNSYLVANIA	36 hours	34 PA. CONS. STAT. § 2361(a)(10)

RHODE ISLAND	24 hours	20 R.I. GEN. LAWS § 20-16-9
SOUTH CAROLINA	Daily	S.C. Code § 50-11-2440
SOUTH DAKOTA	72 hours ¹⁰	S.D. Admin. R. 41:08:02:03
TENNESSEE	36 hours	Tenn. Fish and Wildlife Comm. Proclamation 18-05, § III (9)
TEXAS	36 hours	31 TEX. ADMIN. CODE § 65.375(c)(2)(E)
UTAH	48 hours	UTAH ADMIN. CODE r. 657-11-9(12)
VERMONT	Daily	Vt. Admin. Code 16-4-137:4.1
VIRGINIA	Daily	4 VA. ADMIN. CODE § 15-40-195
WASHINGTON	24 hours	WASH. ADMIN. CODE § 220-417-030(4)(c)
WEST VIRGINIA	Daily	W. VA. CODE R. § 58-53-3.3
WISCONSIN	Daily	WIS. ADMIN. CODE NR § 10.13(2)
WYOMING	72 hours ¹¹	040-0001-4 WYO. CODE R. § 9(a)

* “Live sets” are traps or snares intended to capture the animal alive.

Table 2: General Trap Check Intervals by State for Kill Sets**

	INTERVAL:	BY STATUTE/REGULATION:
ALABAMA	24 hours ¹	ALA. CODE § 9-11-266
ALASKA	None	N/A
ARIZONA	Daily	ARIZ. ADMIN. CODE § 12-4-307(G)(1)
ARKANSAS	72 hours	002-00-001 ARK. CODE R. §17.02
CALIFORNIA	Daily	CAL. CODE REGS. tit. 14, § 465.5(g)(2)
COLORADO	Daily ²	COLO. CODE REGS. § 406-3 #302(B)(2)
CONNECTICUT	24 hours	CONN. GEN. STAT. § 26-72
DELAWARE	24 hours ³	DEL. CODE tit. 7, § 705
FLORIDA	24 hours ¹²	FLA. ADMIN. CODE r. 68A-24.002(1)
GEORGIA	24 hours	GA. CODE § 27-3-63(a)(3)
HAWAII	No furbearer trapping	HAW. ADMIN. CODE § 13-123-22
IDAHO	72 hours ⁴	IDAHO ADMIN. CODE § 13.01.16.200.01
ILLINOIS	Daily	520 ILL. COMP. STAT. 5/2.33a
INDIANA	24 hours	IND. CODE § 14-22-6-4
IOWA	24 hours ¹³	IOWA CODE § 481A.92
KANSAS	Daily	KAN. ADMIN. REGS. § 115-6-5(c)(13)
KENTUCKY	24 hours	KY. REV. STAT. § 150.410(2)
LOUISIANA	Daily	LA. REV. STAT. § 56:260
MAINE	Daily ¹⁴	ME. REV. STAT. tit. 12, § 12255(1)
MARYLAND	Daily ⁵	MD. CODE REGS. 08.03.06.03(E)
MASSACHUSETTS	Daily	321 MASS. CODE REGS. 3.02(e)(11)
MICHIGAN	None	Mich. Wildlife Conservation Order § 3.600(12)(a)
MINNESOTA	Every three days	MINN. R. 6234.2200
MISSISSIPPI	36 hours	MISS. CODE ANN. § 49-7-13(4)(d)
MISSOURI	48 hours	MO. CODE REGS. tit. 3, § 10-8.510(2)
MONTANA	None	N/A
NEBRASKA	Every two days	163 NEB. ADMIN. CODE § 4-001.03A1
NEVADA	96 hours ⁷	NEV. ADMIN. CODE § 503.152
NEW HAMPSHIRE	Daily ¹⁵	N.H. REV. STAT. § 210:13
NEW JERSEY	24 hours	N.J. ADMIN. CODE § 7:25-5.12(i)
NEW MEXICO	Daily	N.M. CODE R. § 19.32.2.11(A)
NEW YORK	24 hours ⁸	N.Y. COMP. CODES R. & REGS. tit. 6, § 6.3(a)(3)
NORTH CAROLINA	Daily ¹⁶	15A N.C. ADMIN. CODE 10B.0110
NORTH DAKOTA	None	N/A
OHIO	Daily	OHIO ADMIN. CODE 1501:31-15-09(G)
OKLAHOMA	24 hours	OKLA. STAT. tit. 29, §5-502(C)
OREGON	48 hours ⁹	OR. REV. STAT. § 498.172
PENNSYLVANIA	36 hours	34 PA. CONS. STAT. § 2361(a)(10)
RHODE ISLAND	24 hours	20 R.I. GEN. LAWS § 20-16-9

SOUTH CAROLINA	Daily ¹⁷	S.C. CODE § 50-11-2440
SOUTH DAKOTA	72 hours ¹⁰	S.D. ADMIN. R. 41:08:02:03
TENNESSEE	72 hours	Tenn. Fish and Wildlife Comm. Proclamation 18-05, § III (9)
TEXAS	36 hours	31 TEX. ADMIN. CODE § 65.375(c)(2)(E)
UTAH	96 hours ¹⁸	UTAH ADMIN. CODE R. 657-11-9(12)(a)-(c)
VERMONT	Daily ¹³	Vt. Admin. Code 16-4-137:4.1
VIRGINIA	Daily ¹⁹	4 VA. ADMIN. CODE § 15-40-195
WASHINGTON	72 hours	WASH. ADMIN. CODE § 220-417-030(4)(c)
WEST VIRGINIA	Daily	W. VA. CODE R. § 58-53-3.3
WISCONSIN	Daily	WIS. ADMIN. CODE NR § 10.13(3)(a)
WYOMING	Weekly ¹¹	040-0001-4 WYO. CODE R. § 9(a)

** "Kill sets" are traps or snares intended to kill the animal instantly or by asphyxiation or drowning.

Table 3: Survey of Trap Check Requirements in the United States

The number of states which have adopted:

24-hour or daily check requirements for at least some traps	36
48-hour (or more frequent) check requirements for at least some traps	44
72-hour (or more frequent) check requirements for at least some traps	47
24-hour or daily check requirements for <i>all</i> traps	16
48-hour (or more frequent) check requirements for <i>all</i> traps	25
72-hour (or more frequent) check requirements for <i>all</i> traps	30
check requirements for <i>all</i> traps	33
<i>no</i> general check requirements	3

¹ 72 hours for water sets.

² Most sets are constitutionally prohibited in Colorado. See [COLO. CONST. art. XVIII, § 12b](#). An exemption from the constitutional prohibition and the normal trap check requirements is granted to persons on their own land primarily used for commercial agriculture, to protect that agriculture. See [id.](#); [COLO. REV. STAT. § 33-6-207](#).

³ Muskrat traps exempted.

⁴ “Unprotected rodents” exempted; in effect, all rodents except for beavers. Compare [IDAHO ADMIN. CODE § 13.01.16.010.01](#) with [id. § 13.01.16.010.03](#) (definitions of “furbearing animals” and “unprotected wildlife”).

⁵ Every two days for water sets.

⁶ Except: 1) in Michigan’s Upper Peninsula (“Zone 1”), where the interval is 48 hours; and 2) for licensed trappers using multi-animal cage sets, for whom there is no requirement. See [Mich. Wildlife Conservation Order § 1.2\(21\) – \(23\)](#) for the definitions of Zones 1, 2, and 3.

⁷ Generally, some units require an interval of every other day for some sets.

⁸ 48 hours for some wildlife management units (“WMU”), 48 hours for some sets in other WMUs.

⁹ Predator trapping exempted, though must still be checked “on a regular basis.”

¹⁰ 96 hours if west of the Missouri River.

¹¹ Snares and quick-kill body traps exempted. These must be checked once each calendar week except for the first week in which the trap was set.

¹² Only snares allowed.

¹³ Drowning sets exempted.

¹⁴ Drowning sets every three days, or every five days in unincorporated/unorganized areas; sets under ice set for beaver or muskrat exempted.

¹⁵ Except sets for beaver under ice, then every three days.

¹⁶ Except for drowning set Conibears, then 72 hours.

¹⁷ 48 hours for drowning sets.

¹⁸ Except for lethal snares without a relaxing lock or stop set to an immovable object, which have a 96 hour requirement.

¹⁹ Drowning set Conibears exempted.



Electronic Version
14 July 2019

Comments for 2019 Montana Trapping Proposal

Wolves of the Rockies (WotR) would like to thank Montana Fish Wildlife & Parks for the opportunity to comment on the 2019 Montana Wolf trapping proposal. In providing comments to the department, it is necessary to have the most current "best available information" on wolves in Montana. In recent years the annual wolf report provided by the department has been released as early as February and as late as April. We are now in July, and the department has not released the 2018 annual wolf report and to aggravate the situation several attempts by WotR have been made to the department to obtain this report, but the Wildlife Division refuses to provide information on what they believe is the current status of wolves in Montana.

Why is this important? The information provided in the annual wolf report helps WotR to understand and submit comments, both positive and negative on any matter related to wolves in Montana. Now WotR is attempting to submit comments, and we must rely on old data.

~Changing Language on setbacks on public lands roads and trails~

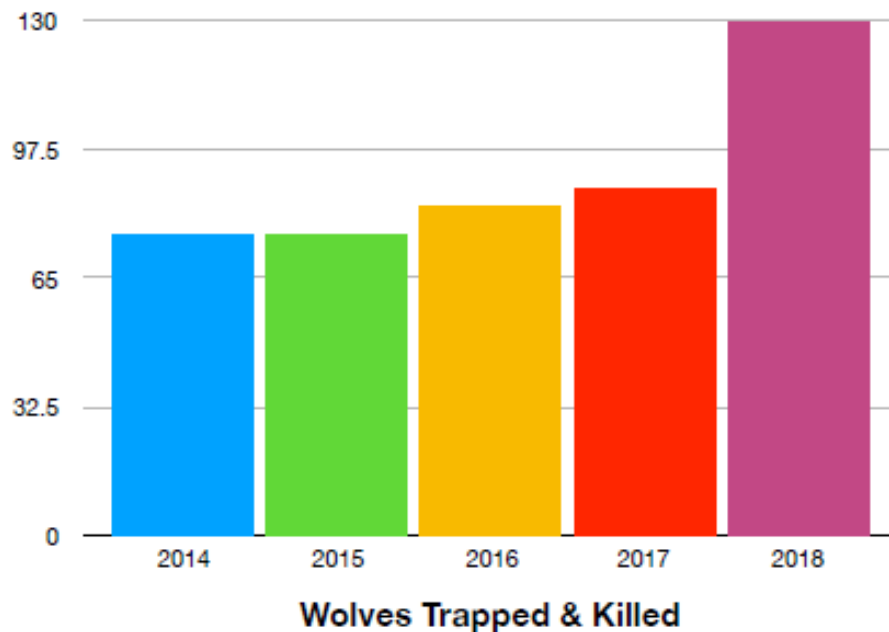
In the 2018 Montana Legislation session Rep. Bob Brown (R) HD 13, Thompson Falls sponsored House Bill 552 "Revise laws related to trapping setbacks." (<https://leg.mt.gov/bills/2019/billhtml/>) Representative Brown was on an anti-wolf crusade and sponsored several anti-wolf bills. From spotlighting wolves to lowering the wolf licenses fee. Working with MtFWP, he wanted to adjust setbacks, which would allow for an increase in wolf trappings. The outdoor recreationists such as cross country skiing community and many others spoke out in opposition to this bill. The common theme was that there are very few places an individual can recreate with their friends, family, and



pets that are a trap and snare free. House Bill 552 was eventually voted down and died on the floor.

With the defeat of HB 552 in the House, our elected representatives have listened to both proponents and opponents and voted not to adjust trapping modifications. Now the department is going against the wishes of the majority of Montanans and elected representation by using this commission to back door this setback modification into acceptance.

WotR encourages the commission not to support this underhanded attempt by the department to minimize the voice of the outdoor recreation community.





Electronic Version
14 July 2019

~Remove the word incidental~

What does incidental mean?

Happening or likely to happen in unplanned or subordinate conjunction with something else. The department would have us believe that "excess take" is the correct description for wildlife that is a non-target but caught in a trap meant for other wildlife.

Clearly, the term "incidental" is the correct verbiage for the act of trapping a non-targeted wildlife species. This term has a long history of being used by MtFWP and should remain in place.

WotR encourages the commission not to support the term "excess take."

Quota in WMU 101:

WotR believes that WMU 101 has been over harvested for several years. Elk populations in this area is at or above objectives. Wolf depredation is minimal and stable. We encourage the department to implement a reasonable wolf quota in this area.

Over the last 18 months Wolves of the Rockies has had the opportunity to observe the Wildlife Division staff and how this they function. From the Trapper Advisory Committee to the Montana Legislature. We are alarmed on how they function and who they do and don't represent. They were less then honest with us and did everything they could to undermine Wolves of the Rockies and their efforts. From withholding timely information meant for the TAC, sabotaging Rep. Smith's Trap Check Bill to steering the selection of the TAC and insure failure of the TAC are but a few unacceptable actions. Its time for change within the Wildlife Division!



Electronic Version
14 July 2019

Respectfully Submitted,

Marc Cooke

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