

ODFW Trap Check Work Group  
Friday, July 16<sup>th</sup> 2021, 10am-12pm PT  
Zoom Meeting - <https://youtu.be/7BzzK1WJOu8>

Participants:

- Mary Anne Cooper, Oregon Farm Bureau
- Kelly Peterson, Humane Society of the United States
- *Susan Getty (alternate for Kelly Peterson), Humane Society of the United States*
- Jim Soares, Oregon Trappers Association
- *Amy Patrick (alternate for Tyler Dungannon), Oregon Hunters Association*
- Bob Sallinger, Portland Audubon
- Quinn Read, Center for Biological Diversity
- Jill Zarnowitz, ODFW Commission
- Greg Wolley, ODFW Commission
- Derek Broman, ODFW Wildlife Biologist
- Shannon Hurn, ODFW Deputy Director
- *Kevin Blakely (alternate for Shannon Hurn), ODFW Deputy Administrator*
- Michelle Tate, ODFW
- Lauren Smith, Association of Oregon Counties

Absent

- Tyler Dungannon, Oregon Hunters Association

Facilitation Team

- Jamie Damon, Kearns & West
- Samantha Meysohn, Kearns & West

**Welcome, Agenda Review, and Updates**

Jamie Damon, Kearns & West facilitator, opened the meeting, welcomed participants to the ODFW Trap Check Work Group, and provided an agenda overview. ODFW then provided a presentation on the Trap Check requirements.

**ODFW Background Presentation**

Derek Broman, Oregon Department of Fish and Wildlife (ODFW), presented the various Trap Check requirements, the history of trap checks in Oregon, and how Oregon's requirements compare to other states.

Derek began by clarifying how different species are categorized in statute and rule, and how that relates to trapping requirements. He shared the differences of trapping for animals on public and private land. He highlighted that furbearers and unprotected mammals on public and private land are subject to a 48-hour trap check time interval.

Derek then shared the history of the trap check interval topic since the year 2000. He explained changes made to trap check intervals throughout the past 20 years resulting from public processes such as task forces and state legislative policies.

Derek provided an overview of the trap check intervals and the groups they come from including the Oregon legislature, ODFWC, Task Force, or Work Group. There are different statutes related to predatory animals with different Trap Check times. For instance, when trapping is proactive to prevent damage using a restraining trap, the time interval is 76 hours, however when damage is occurring, and the trapper sets a restraining trap, the trap check time is 7 days. For kill traps, the time is 30 days.

He then outlined the different trap check time intervals for the Western states: Arizona, California, Colorado, Washington, Alaska, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming. Trap check times vary depending on type of traps or the reason for trapping (for damage, for instance). He also shared that Arizona, California, Colorado, and Washington determined trap check times by an initiative or petition, noting that those set by ballot measure were typically more restrictive than states that set their trap check times through administrative action.

Kelly Peterson, Humane Society of the United States, circulated a spreadsheet detailing different trap check times across the states and citing statutes/regulations for each.

The following highlights the discussion:

**Question: Why is there a discrepancy between trapping regulations set by administrative action versus petition?**

Answer: In several states where intervals were set by petition, kill traps are not allowed, so longer time intervals are not included. Additionally, permits are needed for many states for foothold, kill, or water traps. By issuing permits, wildlife management agencies can set specific requirements. Live traps have shorter trap check times. Administrative Actions take into account an increased number of stakeholders thus requiring more flexibility to apply across broader geographies and circumstances. When issuing damage permits, traps are often set close to dwellings, making them more accessible to check at shorter intervals.

**Question: Who has responsibility for overseeing damage control?**

Answer: Wildlife Services must abide by regulations relative to a state's policies and agreements. States can take on the work themselves. Follow-up question for future discussion: What would the costs be for ODFW to take on the responsibilities of damage control?

**Question: Are bears trapped with leg-holds or snares?**

Answers: Bears among other animals can be trapped for research and damage. They may also be trapped by the public for nuisance reasons. Foot snares are used for bear research across the country and are selective for bears. Footholds traps used in Oregon are specific to the

targeted animal. Most bears are trapped for damage reasons, and most of the time walk in traps are used.

**Question: For black bears, what are their trap check times, including when trapped for timber damage?**

Answer: Black bears are managed as a game species and have a separate management plan that governs trap check times. When trapped for timber damage, ODFW thinks they are all 48-hours as a default.

**Question: Are Wildlife Control Operators subject to same trap check intervals?**

Answer: Yes, Wildlife Services and Wildlife Control Operators permitted through ODFW have to abide by the trap check requirements. However, there are animal damage control professionals that do not need a permit through ODFW if they are trapping mice, rats, or moles etc.

**Question: Which animals are explicitly included in Predatory Animals?**

Answer: Rodents are listed as predatory animals in ORS 610.002. Some species of birds that cause agricultural damage are also included as Predatory Animals. All regulations must comply with Federal law around the Migratory Bird Act, and typically these Predatory Animal birds include starlings and non-native, invasives.

Comment: Note that Predatory Animal classification includes nutria, gopher, mountain beavers, and other species that cause widespread damage and concern for landowners in parts of the state. Many people, particularly landowners, would be affected by addressing Predatory Animals.

**Question: Explain the difference between the 7 days and 76 hour trap check time interval for Predatory Animal trapping?**

Answer: Eastern Oregon and Western Oregon are different environments. Conversations about humaneness and the need to address conflicts were discussed during the previous trap check work groups.

Response: However, not all participants felt this issue was adequately addressed. In a live trap for 7 days means animals experience more pain, suffering, injury, predation in the trap, and are susceptible to non-target take in the traps. Some would like to discuss this moving forward.

**Question: Are all animals treated equally under the Predatory Animal Classification?**

Answer: The Work Group can help discuss how to determine the standards across different species or different circumstances. It is important to consider the practitioner perspective. An [economic analysis](#) was conducted and determined the implications on the landowner and trapper.

**Question: From a practitioner's perspective, what are the protocols for when an animal is not dead but trapped in a kill trap?**

*Discussion:*

ODFW reflected that in Oregon's history of the trap check time interval requirements, there is logic behind the various trap check times. The 2001 House Bill that set a 48-hour trap check time intervals for furbearers was in reaction to a petition in 2000. Some felt that subsequent trap check work groups were dominated by industry and were not open, transparent, or balanced.

The group discussed Wildlife Services participation on the Trap Check Work Group. ODFW Commissioners said it would be helpful for them to provide information to the group. Several Work Group members requested having the Wildlife Services people present to serve as a resource as questions arise in the future. Since Wildlife Services works on behalf of the ODFW on state lands, there is an opportunity for ODFW to communicate the discussions happening in this forum. However, Wildlife Services contracts with ODA and counties, and ODFW may not likely not privy to the work that they're doing. Jamie will follow-up with Wildlife Services with questions from the group for them to address at the next Trap Check Meeting. A primer on how Wildlife Services operate on private land may be beneficial. Some feel that without Wildlife Services present, the group does not have any validity.

The group discussed the need to consider landowners when differentiating between Predatory Animals. A member suggested a broader work group to include more representatives from this sector who would be impacted by these decisions.

A work group member urged the group to consider the mechanics of the trap check intervals rather than the ethics. ODFWC replied that pain and suffering is related to the intervals, and it is a driver for why this conversation is occurring.

Reflecting on the 2012 ODFW Commission decision on trap check time intervals, they recall discussing the terrain and weather constraints.

Jamie summarized, that the group agreed on engaging with Wildlife Services as a technical resource at a future meeting. Questions could potentially include:

- Scope of services,
- Challenges they face with different intervals across terrain, species, settings (urban/rural),
- Opportunities to do things differently,
- Protocols for finding live animals in kill traps,
- How often they're using kill traps or live traps for predatory animal control
- Trap check time intervals for black bears trapped for timber damage,

The group discussed inviting Wildlife Services and/or Wildlife Control Operators. Wildlife Services is a federal agency and operates in formal structures, whereas the Wildlife Control Operators are usually small businesses and permitted through ODFW. They have different costs to operate, and cover different areas. Wildlife Services typically contracts with larger entities and across larger areas. Wildlife Control Operators operate in more urban/ex-urban spaces. The group discussed inviting the ODFW point person to identify the key Wildlife Control Operator representative. Wildlife Control Operators have a different set of issues they're considering other than trap check time intervals because they're engaging mostly in urban/suburban areas. Some feel that anyone who is impacted should be included in the work group discussion.

There is an opportunity to also engage with the Veterinary representatives to provide information, as well.

Jamie suggested we discuss the topic of enforcement at a future meeting.

### **Finalizing Charter and Schedule**

#### *Schedule*

The group discussed scheduling and confirmed the next meeting for August 11<sup>th</sup>, 2021.

Group members asked about the January deadline - the ODFW Commissioners discussed ending the work group by the end of the year because the public would like a resolution on this topic sooner rather than later.

#### *Charter*

All agreed on the Mission/Purpose language as follows:

“The Commission directed the department (ODFW) to review trap check time requirements and come back to the Commission by January 2022 with proposed changes if any.”

The group discussed the Scope of Authority and some are interested in talking about all trapped animals. Some want to only focus on furbearer and predatory animal categories. The public has expressed concern about trapping of all animals to the ODFWC.

The group agrees that the scope should include the furbearers and predatory classification. However, there is a need for more information from ODFW regarding game mammals and how they intersect with these regulations.

Discussion included the following:

- There are different sets of regulations for game mammals.
- Having the work group focus on “trap check intervals across ODFW managed time intervals” would allow the group to consider the regulations across categories without presupposing a change is needed.

- Some feel it would be helpful to understand the variety of regulations and why there are different intervals across different categories.
- ODFW authority includes trapping as it relates to falconry, scientific taking permits, ODFW research, fish, etc. ODFW would advise the group to focus on a manageable scope.
- The scope should consider the end of the year deadline as well.
- The group discussed the suggestion to focus on “trap check intervals for mammals across ODFW time intervals.”

### **Confirm next steps, upcoming meeting topics, and summary**

A member asked to discuss the roles of participants and how the structure will work at the beginning of the next meeting since we did not have time to address it today. Jamie confirmed the following action items:

#### **Action Items from 7/16**

- All: Send KW questions you have for APHIS Wildlife Services and Wildlife Control Officers (WCO) by **Wednesday, July 28th**
- All: Please hold **Wednesday, August 11<sup>th</sup>, 2-4pm** for the next Trap Check Meeting
- KW: We will send calendar invitations for upcoming Trap Check meetings:
  - Wednesday, August 11<sup>th</sup>, 2-4pm
  - Tuesday, September 14<sup>th</sup>, 2-4pm
  - Tuesday, October 5<sup>th</sup>, 2-4pm
  - Tuesday, October 26<sup>th</sup>, 2-4pm
  - Tuesday, November 16<sup>th</sup>, 2-4pm
  - Tuesday, December 7<sup>th</sup>, 2-4pm
  - If unable to attend, please coordinate with an alternate.
- KW: Contact APHIS/ WCO to set up a panel for the upcoming meeting
- KW: Prepare a meeting summary and send to the group for review by **7/23**
- KW: Share results of the survey regarding the Draft Charter and Key Issues to Address by **7/23**

Jamie thanked everyone for their hard work and focus during the webinar.

*The meeting ended at 12:00 pm.*