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IDAPA 13
TITLE 01
CHAPTER 16

13.01.16 - THE TRAPPING OF PREDATORY AND UNPROTECTED WILDLIFE AND THE TAKING OF FURBEARING ANIMALS

000. LEGAL AUTHORITY.
The Idaho Fish and Game Commission is authorized under Sections 36-104(b) and 36-1101(a), Idaho Code, to adopt rules concerning the trapping of predatory and unprotected wildlife and the taking of furbearing animals. (3-30-01)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited in full as IDAPA 13.01.16.000, et seq., Idaho Fish and Game Commission Rules IDAPA 13.01.16, "The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals." (3-30-01)

02. Scope. These rules establish the methods of trapping predatory and unprotected wildlife and the taking of furbearing animals in the state of Idaho. (3-30-01)

002. WRITTEN INTERPRETATIONS.
In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency has written statements which pertain to the interpretation of the rules of this chapter, or to the documentation of compliance with the rules of this chapter. These documents are available for public inspection and copying at cost at the headquarters office at 600 South Walnut, Boise, Idaho. (3-30-01)

003. ADMINISTRATIVE APPEALS.
All contested cases shall be governed by the provisions of IDAPA 13.01.01, "Rules of Practice and Procedure of the Idaho Fish and Game Commission." (3-30-01)

004. INCORPORATION BY REFERENCE.
There are no documents that have been incorporated by reference into this rule. (3-30-01)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.
The principal place of business of the Department of Fish and Game is in Boise, Idaho. The office is located at 600 South Walnut, Boise, Idaho and is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The mailing address is: P.O. Box 25, Boise, Idaho 83707. (3-30-01)

006. -- 009. (RESERVED)

010. DEFINITIONS.

01. Furbearing Animals. Furbearing animals are defined as the following species: (7-1-93)

a. Marten -- *Martes americana*. (7-1-93)

b. Fisher -- *Martes pennanti*. (7-1-93)

c. Mink -- *Mustela vison*. (7-1-93)

d. Otter -- *Lontra canadensis*. (3-30-01)

e. Beaver -- *Castor canadensis*. (7-1-93)

f. Muskrat -- *Ondatra zibethicus*. (7-1-93)

g. Bobcat -- *Felis rufus*. (7-1-93)

h. Lynx -- *Felis lynx*. (7-1-93)

i. Red Fox -- *Vulpes vulpes*, and includes all color phases found in Idaho. (7-1-93)

j. Badger -- *Taxidea taxus*. (7-1-93)

02. Predatory Wildlife. Predatory wildlife is defined as the following species: (7-1-93)

a. Coyote. (7-1-93)

b. Jackrabbit. (7-1-93)

c. Raccoon (4-7-11)

d. Skunk. (7-1-93)

e. Weasel. (7-1-93)

03. Unprotected Wildlife. Unprotected wildlife is defined as all animals OTHER than those classified by the Fish and Game Commission as big game animals, upland game animals, game birds, game fish, crustacea, migratory birds, furbearing animals, threatened or endangered wildlife, protected nongame wildlife or predatory wildlife. (4-7-11)

04. Bait. Bait is defined as any animal parts; except bleached bones or liquid scent. (4-6-05)

05. Sets. (4-7-11)

a. Ground Set. Ground set is defined as any foothold trap, body-gripping trap, or snare originally set in or on the land (soil, rock, etc.). This includes any traps elevated up to a maximum of thirty-six (36) inches above the natural ground level. (4-7-11)

b. Water Set. Water set is defined as any trap or snare originally set in or on any body of water. This shall include traps on floats in the water and those that are set with a minimum of one-third (1/3) of the trap submerged. The term water set applies to traps set on beaver dams, in bank holes and in the water at bank slides. (4-7-11)

c. Other Sets. Other set is defined as any set not defined as a ground or water set, including without limitation, elevated sets originally set thirty-six (36) inches or more above natural ground level. (4-7-11)

06. Public Trail. Public trail is defined as any trail designated by any city, county, state, or federal transportation or land management agency on the most current official map of the agency. (4-7-11)

011. -- 099. (RESERVED)

100. IDENTIFICATION TAGS FOR TRAPS.
All traps or snares, except those used for pocket gophers, ground squirrels or other unprotected rodents, shall have attached to the snare or the chain of every trap, a metal tag bearing: (7-1-93)

01. Name and Address. In legible English the name and current address of the trapper; or (7-1-93)

02. Number. A six (6) digit number assigned by the Department. (7-1-93)

a. Any person wishing to mark his traps and/or snares with a six (6) digit number must make application to the Department at a regional office, the McCall office, or the Headquarters Office. (3-30-01)

b. Any person who has been assigned a six (6) digit number to mark his traps and/or snares must notify the Department in writing at a subregional office, regional office, or the Headquarters Office within thirty (30)

days of any change in address. (7-1-93)

101. -- 149. (RESERVED)

150. PERMITS.

01. General. No person may trap in a controlled trapping unit for the designated species without having a valid permit for that controlled trapping unit in possession. In the event that a permit is issued based on erroneous information, the permit will be invalidated by the Department and may NOT be used. The Department will notify the permittee of the invalidation of the permit. The person will remain on the drawn list, and if there is a waiting period in a succeeding year, the person will be required to wait the specified time period. (7-1-93)

02. Eligibility. Any person possessing a valid Idaho trapping license is eligible to apply for a controlled trapping unit permit. (10-26-94)

03. Applications. Applications for controlled trapping permits shall be made on a form prescribed by the Department and must be received at the Headquarters Office of the Idaho Department of Fish and Game or postmarked not later than September 15 of each year. Any application which is unreadable, has incomplete or incorrect trapping license numbers, or which lacks the required information or fee will be declared void and will not be entered in the drawing. All applications will be considered final. They may not be resubmitted after correction. Applicants must comply with the following requirements: (7-1-93)

a. No person may submit more than one (1) application for a controlled beaver trapping permit. (5-3-03)

b. No group applications will be accepted. (7-1-93)

04. Controlled Trapping Permit Drawing. (7-1-93)

a. Applications that are not drawn for the first choice unit will automatically be entered into a second choice drawing, provided the second choice applied for has not been filled. (7-1-93)

b. If an insufficient number of "first choice" applications are received for a unit, remaining permits will be filled from applications listing the unit as a second choice. (10-26-94)

c. Any permits left unfilled after the second choice drawing may be issued on a first-come-first-served basis. (10-26-94)

05. Successful Applicants. Successful applicants will be notified by mail and must contact the person listed on the notice by October 14 to obtain the permit. The permittee, upon agreeing to follow trapping instructions for the unit, will be issued a permit. (7-1-93)

06. Revocation of Permits. Any permittee who does not comply with the following will have his permit revoked: (7-1-93)

a. The Fish and Game Code and these rules; or (7-1-93)

b. The instructions for the trapping unit. (7-1-93)

07. Alternative Permittee. Any revoked permit may be issued to an alternate, selected at the time of the drawing. If there is no alternate, or the alternate fails to comply with Subsection 150.05 above, the permit may be issued to the first eligible trapper answering a notification of vacant trapping Unit as approved by the Regional Supervisor. (7-1-93)

151. -- 199. (RESERVED)

200. TRAPS.

01. Checking Traps. (7-1-93)

a. No person shall place snares or traps for furbearing animals, predatory or unprotected wildlife, EXCEPT pocket gophers, ground squirrels and other unprotected rodents, without visiting every trap or snare once every seventy-two (72) hours and removing any catch therein. (7-1-93)

b. Trappers acting under authority of the U.S. Department of Agriculture, Animal Plant Health Inspection Service, Wildlife Services are exempt from this rule. (7-1-99)

02. Removing Trapped Animals of Another. No person shall remove wildlife from the trap or snare of another EXCEPT licensed trappers with written permission from the owner. (7-1-93)

03. Release of Non-Target Catches. (7-1-93)

a. All non-target species caught alive shall be released immediately. Non-target species are defined as any species caught for which the season is closed. (7-1-93)

b. Any trapper who catches a non-target species that is dead shall: (7-1-93)

i. Prior to removing the animal, record the date and species of animal caught. This information must be included in the mandatory furtaker harvest report. (5-3-03)

ii. Remove the animal from the trap and take it into possession. (7-1-93)

iii. Notify the Department of Fish and Game through the local Conservation Officer, Subregional or Regional office within seventy-two (72) hours to make arrangements to transfer the animal to the Department. (10-26-94)

iv. The Department will reimburse trappers ten dollars ($10) for each bobcat, lynx, wolverine, otter, or fisher caught accidentally and turned in. (4-6-05)

201. -- 299. (RESERVED)

300. WOUNDING, RETRIEVING, AND POSSESSION.

01. Wound or Kill. No person shall wound or kill any furbearer by hunting without making a reasonable effort to retrieve it and reduce it to possession. Every furbearer wounded by hunting and reduced to possession shall be killed immediately. (7-1-93)

02. Live Furbearer. No person shall possess a live furbearer taken from the wild. (7-1-93)

301. -- 399. (RESERVED)

400. METHODS OF TAKE.

01. Furbearing Animals. No person shall take beaver, muskrat, mink, marten, or otter by any method other than trapping. In Valley County and portions of Adams County in the Little Salmon River drainage, red fox may be taken only by trapping. (5-3-03)

02. Hunting. No person hunting permissible furbearing animals or predatory or unprotected wildlife shall: (7-1-93)

a. Hunt with any weapon the possession of which is prohibited by state or federal law. (7-1-93)

b. Hunt with dogs unless they comply with IDAPA 13.01.15, “Rules Governing the Use of Dogs.” (7-1-93)

c. Hunt any furbearing animal with or by the aid of artificial light. (4-7-11)

d. Persons may hunt raccoon with the aid of an artificial light without a permit from the Director but no person hunting raccoon at night shall: (4-7-11)

i. Hunt from a motorized vehicle. (7-1-93)

ii. Use any light attached to any motor vehicle. (7-1-93)

iii. Hunt on private land without obtaining written permission from the landowner or lessee. (7-1-93)

03. **Trapping**. No person trapping furbearing animals or predatory or unprotected wildlife shall: (7-1-93)

a. Use for bait or scent, any part of a domestic or wild origin game bird, big game animal, upland game animal, game fish, or protected nongame wildlife. (4-7-11)

b. Use any set within thirty (30) feet of any visible bait. (4-6-05)

c. Use a dirt hole ground set with bait unless the person ensures that the bait remains covered at all times to protect raptors and other meat-eating birds from being caught accidentally. (4-7-11)

d. Use live animals as a bait or attractant. (4-6-05)

e. Place any ground, water, or other sets on, across, or within five (5) feet of center line of any maintained public trail. (4-7-11)

f. Place any ground set on, across, or within any public highway as defined in Section 36-202, Idaho Code; except ground sets may be placed underneath bridges and within and at culverts that are part of a public highway right-of-way. (4-7-11)

g. Place any ground set incorporating snare, trap, or attached materials within three hundred (300) feet of any designated public campground, trailhead, or picnic area. Cage or box live traps are permitted within three hundred (300) feet of designated public campgrounds, trailheads, or picnic areas as allowed by city, county, state, and federal law. (3-29-12)

h. Place or set any ground set snare without a break-away device or cable stop incorporated within the loop of the snare. (3-29-12)

i. Place any ground set incorporating a foothold trap with an inside jaw spread greater than nine (9) inches. (3-29-12)

401. -- 499. (RESERVED)

500. MANDATORY CHECK AND REPORT - PELT TAG REQUIREMENTS.

01. **Mandatory Check and Report**. Any person trapping river otter or taking bobcat, whether by hunting or trapping, must comply with the mandatory check and report and pelt tag requirements by: (5-3-03)

a. Presenting the pelts of all bobcat taken to a regional office, the McCall office or official check point to obtain the appropriate pelt tag and complete a harvest report. To have a pelt tagged, the pelt must be legally taken in Idaho and must be presented to a regional office, the McCall office, or designated checkpoint of IDFG during normal working hours -- 8 a.m. to 5 p.m. (3-30-01)

b. Additional River Otter Requirements: (3-30-01)

i. Pelts must be tagged by IDFG personnel at the regional office in the region in which the animal was taken within seventy-two (72) hours of taking. Trappers unable to comply with the tagging requirements due to special or unique circumstances must report their harvest to the appropriate regional office or field personnel within seventy-two (72) hours and make arrangements for tagging at the proper regional office. Pelts not registered or presented to Department personnel within seventy-two (72) hours are subject to confiscation. (3-30-01)

ii. Otters harvested after the season has closed, or otters harvested in excess or a trapper's personal quota of two (2), must be turned into IDFG personnel. Check with the IDFG regional office for further information when reporting a harvest. (4-6-05)

iii. No person shall have in possession, except during the open season and for seventy-two (72) hours after the close of the season, any raw otter pelt legally harvested in Idaho that does not have an official state export tag attached. (3-30-01)

02. Pelt Tags. A fee of two dollars ($2) will be charged for each pelt tag. An additional vendor fee as set forth in Section 36-306, Idaho Code, will be charged to each license holder when pelts are brought in for tagging. (3-29-10)

a. No person, who does not possess a furbearer or taxidermist license or appropriate import documentation, or both, shall have in possession, except during the open season and for ten (10) days after the close of the season, any raw bobcat pelt that does not have an official state export tag attached (either Idaho's or another state's official export tag). (3-29-10)

b. No person, who does not possess a furbearer or taxidermist license or appropriate import documentation, or both, shall sell, offer for sale, purchase, or offer to purchase any raw bobcat or otter pelt that does not have an official state export tag attached. (3-29-10)

501. -- 599. (RESERVED)

600. TRAPPING ON GAME PRESERVES AND WILDLIFE MANAGEMENT AREAS.

01. Game Preserves and Wildlife Management Areas. All state game preserves and Department of Fish and Game Wildlife Management Areas are open to the taking of furbearing animals by licensed trappers during the open season declared for the areas in which they lie. (4-4-13)

02. Contact or Registration Requirements. Trappers who desire to trap on any of the following Wildlife Management Areas must register in advance either at the management area headquarters or the regional office: (4-4-13)

a. Billingsley Creek. (7-1-93)

b. Boise River. (7-1-93)

c. Andrus. (7-1-99)

d. Camas Prairie Centennial Marsh. (7-1-93)

e. C.J. Strike. (7-1-93)

f. Carey Lake. (7-1-93)

g. Cartier Slough. (7-1-93)

h. Coeur d'Alene River. (7-1-93)

i. Craig Mountain. (7-1-93)

j. Fort Boise. (7-1-93)

k. Hagerman. (7-1-93)

l. Market Lake. (7-1-93)

m. McArthur Lake. (7-1-93)

n. Montpelier. (7-1-93)

o. Mud Lake. (7-1-93)

p. Niagara Springs. (7-1-93)

q. Payette. (7-1-93)

r. Portneuf. (7-1-93)

s. Sand Creek. (7-1-93)

t. Snow Peak. (7-1-93)

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dd. Pend Oreille. (4-4-13)

ee. Red River. (4-4-13)

ff. St. Maries. (4-4-13)

03. **Restrictions**. The Regional Supervisor where a wildlife management area (WMA) is located may establish limits on the number of trappers allowed on the WMA, a method of equitable allocation of trapping opportunity on a WMA, the number and types of sets allowed, and posting and reporting requirements. (4-4-13)

601. -- 649. (RESERVED)

650. AREAS CLOSED TO THE TRAPPING OF PREDATORY AND UNPROTECTED WILDLIFE AND THE TAKING OF FURBEARING ANIMALS.
Hunting, trapping, killing or molesting of furbearing animals, predatory and unprotected wildlife is prohibited in the following areas: (7-1-93)

01. Craters of the Moon. That area of Craters of the Moon National Monument in Blaine and Butte Counties prior to the November 2000 expansion by Presidential decree. It is the trapper's/hunter's responsibility to check with the Park Service to be able to identify the closed area. (4-6-05)

02. Hagerman Fossil Beds National Monument in Twin Falls County. (7-1-98)

03. Nez Perce National Historical Park. In Clearwater, Idaho, and Nez Perce Counties. (7-1-98)

04. Ada County. That portion of Ada County: (7-1-93)

a. Within Veterans Memorial Park; (7-1-93)

b. Within one quarter (1/4) mile of the Boise River from the New York Canal Diversion Dam downstream to the Glenwood Bridge; and (7-1-93)

c. Between State Highway 21 and the New York Canal from the New York Canal Diversion Dam downstream to the Boise City limits. (7-1-93)

05. Stanley Creek. Wildlife Interpretive Area in Custer County. (7-1-98)

06. Yellowstone National Park. In Fremont County. (7-1-98)

07. Other Areas. On any of those portions of State game preserves, State wildlife management areas, bird preserves, bird refuges, and bird sanctuaries for which trapping closures have been declared by legislative or Commission action. (7-1-93)

08. National Wildlife Refuges. All or portions of national wildlife refuges, EXCEPT as specified in federal regulations for individual refuges. (7-1-93)

651. -- 699. (RESERVED)

700. BOUNDARIES.

Common Season Boundaries for Streams and Rivers. Whenever a stream or river forms a boundary between two (2) different trapping areas for the same furbearer, the stream or river channel proper shall open for trapping on the earliest opening date and close on the latest closing date of the two (2) seasons involved. (7-1-93)

701. --749. (RESERVED)

750. SEASONS.

01. Restricted Fur-Bearing Animals. There is NO open season for Fisher, Wolverine, Kit Fox, or Lynx. (4-6-05)

02. Proclamations. Pursuant to Section 36-105(3), Idaho Code, the Commission now sets the seasons, bag limits, and possessions limits by proclamation. The proclamation is published in a brochure available at Department offices and license vendors. (4-6-05)

751. -- 799. (RESERVED)

800. TRAPPING REPORTS.

01. Trapping Report Completion. All trappers shall fill out the mandatory furtaking harvest report provided by the Department. Trappers shall return the completed mandatory report to the Department of Fish and Game, Box 25, Boise, Idaho 83707, by July 31. Any trapper failing to make such a report by July 31 shall be refused a license to trap animals for the ensuing year. (5-3-03)

02. Return of Reports and Permits. All permittees shall return their controlled trapping unit permits

and controlled trapping reports to the person from whom they obtained their controlled trapping unit permits within ten (10) days of the close of the season for the controlled trapping unit. (7-1-93)

801. -- 999. (RESERVED)

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