IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

Wildlife Bureau

13.01.16 – The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals

Who does these rules apply to?
These rules apply to individuals who hunt or trap furbearing animals and who trap predatory or unprotected wildlife.

What is the purpose of these rules?
These rules govern the taking of furbearing animals and trapping of predatory and unprotected wildlife. These rules also govern trap set types, trap identification, controlled trapping permits, requirements for checking traps, requirements for managing trapped animals, release of non-target catch, reporting requirements and trapping location restrictions. These rules regulate the take of wildlife so that Idaho continues to have wildlife populations to support public use and enjoyment in the future. These rules also promote public safety and manage social aspects to provide a range of opportunities and balance different public interests and preferences.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

Fish and Game -
Fish and Game Commission:
- Section 36-104, Idaho Code – General Powers and Duties of Commission

Protection of Animals and Birds:
- Section 36-1101, Idaho Code – Taking of Wildlife Unlawful Except by Statute or Commission Rule or Proclamation – Methods Prohibited – Exceptions
- Section 36-1105, Idaho Code – Report of Trappers – Penalty for Failure to Report

Who do I contact for more information on this rule?

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

000. LEGAL AUTHORITY.
Sections 36-104(b) and 36-1101(a), Idaho Code, authorize the Commission to adopt rules concerning the trapping of predatory and unprotected wildlife and the taking of furbearing animals. (3-20-20)

001. TITLE AND SCOPE.
The title for this chapter for citation is IDAPA 13.01.16, "The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals." These rules govern the taking of trapping predatory and unprotected wildlife and the taking of furbearing animals in the state of Idaho. (3-20-20)

002. -- 009. (RESERVED)

010. DEFINITIONS.
IDAPA 13.01.06, "Rules Governing Classification and Protection of Wildlife" defines furbearing animals and unprotected wildlife. Section 36-201, Idaho Code, defines predatory wildlife. (3-20-20)

01. **Bait**. Any animal parts; except bleached bones or liquid scent. (3-20-20)

02. **Sets**. (3-20-20)

a. Ground Set. Any foothold trap, body-gripping trap, or snare originally set in or on the land (soil, rock, etc.), which includes any traps elevated up to a maximum of thirty-six (36) inches above the natural ground level. (3-20-20)

b. Water Set. Any trap or snare originally set in or on any body of water, which includes traps on floats in the water and those that are set with a minimum of one-third (1/3) of the trap submerged. Water set includes traps set on beaver dams, in bank holes and in the water at bank slides. (3-20-20)

c. Other Sets. 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. (3-20-20)

03. **Public Trail**. Any trail designated by any city, county, state, or federal transportation or land management agency on the most current official map of the agency. (3-20-20)

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: (3-20-20)

01. **Name and Address**. In legible English the name and current address of the trapper; or (3-20-20)

02. **Number**. A six (6) digit number, to be obtained by the trapper from any Department office. (3-20-20)

a. Any person assigned a six (6) digit number to mark his traps or snares must notify the Department in writing or in person at any Department Office within thirty (30) days of any change in address. (3-20-20)

101. -- 149. (RESERVED)

150. CONTROLLED TRAPPING 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. A permit issued based on erroneous information will be invalidated by the Department. The Department will notify the individual of the invalidation, and that person will not be eligible for a controlled trapping permit that year or in a succeeding year to which a waiting period applies. (3-20-20)

02. **Eligibility**. Any person possessing a valid Idaho trapping license is eligible to apply for a controlled trapping unit permit. (3-20-20)

03. Applications. Applications for controlled trapping permits will be made on a form prescribed by the Department. The Department will only consider applications received at the Headquarters Office of the Department or postmarked not later than September 15 of each year. Any application that is unreadable, has incomplete or incorrect trapping license numbers, or lacks mandatory information or fee will be declared void and will not be entered in the drawing. All applications will be considered final and cannot be resubmitted after correction. (3-20-20)

a. No person may submit more than one (1) application per species for a controlled trapping permit. (3-20-20)

b. No group applications will be accepted. (3-20-20)

04. Controlled Trapping Permit Drawing. (3-20-20)

a. Applications 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. (3-20-20)

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. (3-20-20)

c. Any permits left unfilled after the second choice drawing may be issued on a first-come-first-served basis. (3-20-20)

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. (3-20-20)

06. Revocation of Permits. Any permittee who does not comply with Title 36, Idaho Code, administrative rules, or trapping unit instructions may have his permit revoked. (3-20-20)

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. (3-20-20)

151. -- 199. (RESERVED)

200. TRAPS.

01. Checking Traps. (3-20-20)

a. No person may 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. (3-20-20)

b. Trappers acting as government employees or contractors are exempt from this rule. (3-20-20)

02. Removing Trapped Animals of Another. No person may remove wildlife from the trap or snare of another except licensed trappers with written permission from the owner. (3-20-20)

03. Release of Non-Target Catches. (3-20-20)

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 or is in excess of the trapper's limit. (3-20-20)

b. Any trapper who catches a non-target species that is dead shall: (3-20-20)

i. Promptly record the date and species of animal caught and include this information in the mandatory furtaker harvest report. (3-20-20)

ii. Remove the animal from the trap and take it into possession. (3-20-20)

iii. Notify the Department through the local Conservation Officer or Department office within seventy-two (72) hours to make arrangements to transfer the animal to the Department. (3-20-20)

c. The Department will reimburse trappers ten dollars ($10) for each bobcat, lynx, wolverine, otter, or fisher caught accidentally and turned in. (3-20-20)

201. -- 299. (RESERVED)

300. WOUNDING, RETRIEVING, AND POSSESSION.

01. Wound or Kill. No person may wound or kill any furbearer by hunting without making a reasonable effort to retrieve it and reduce it to possession. (3-20-20)

02. Live Furbearer. No person may possess a live furbearer taken from the wild. (3-20-20)

301. -- 399. (RESERVED)

400. METHODS OF TAKE.

01. Furbearing Animals. No person may take beaver, muskrat, mink, marten, or otter by any method other than trapping. No person may hunt any furbearing animal with or by the aid of artificial light. (3-20-20)

02. Hunting. No person hunting furbearing animals or predatory or unprotected wildlife may hunt with dogs, except in accordance with IDAPA 13.01.15, "Rules Governing the Use of Dogs." (3-20-20)

03. Trapping. No person trapping furbearing animals or predatory or unprotected wildlife may: (3-20-20)

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. (3-20-20)

b. Use any set within thirty (30) feet of any visible bait. (3-20-20)

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. (3-20-20)

d. Use live animals as a bait or attractant. (3-20-20)

e. Place any ground sets on, across, or within ten (10) feet of the edge of any maintained unpaved public trail. (3-20-20)

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. (3-20-20)

g. Place any ground set incorporating snare, trap, or attached materials within three hundred (300) feet of any designated public campground, trailhead, paved trail, or picnic area; except cage or box live traps may be placed within these areas as allowed by city, county, state, and federal law. (3-20-20)

h. Place or set any ground set snare without a break-away device or cable stop incorporated within the loop of the snare. (3-20-20)

i. Place any ground set incorporating a foothold trap with an inside jaw spread greater than nine (9) inches. (3-20-20)

401. -- 499. (RESERVED)

500. MANDATORY CHECK AND REPORT – PELT TAGS.

01. Mandatory Check and Report. Any person taking river otter or bobcat must comply with the mandatory check, report and pelt tag requirements by: (3-20-20)

a. Bobcat: Present the pelt to any Department office or official check point to obtain the appropriate pelt tag and complete a harvest report. (3-20-20)

b. River otter: Present the pelt to the Department office in the region in which the animal was taken within seventy-two (72) hours of taking to obtain the appropriate pelt tag and complete a harvest report. 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. (3-20-20)

02. Pelt Tags. (3-20-20)

a. No person may have in possession, except during the open season and for ten (10) days after the close of the season, any raw bobcat pelt without an official state export tag attached, unless that person has a fur buyer or taxidermist license or appropriate import documentation. (3-20-20)

b. No person may 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. (3-20-20)

c. No person may 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, unless that person has a fur buyer or taxidermist license or appropriate import documentation. (3-20-20)

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 Wildlife Management Areas (WMAs) are open to the taking of furbearing animals during the open season declared for the areas in which they lie, provided that any person desiring to trap on a WMA must register in advance, either at WMA headquarters or at the Department regional office. (3-20-20)

02. 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. (3-20-20)

601. -- 649. (RESERVED)

650. AREAS CLOSED TO THE TRAPPING OF PREDATORY AND UNPROTECTED WILDLIFE AND THE TAKING OF FURBEARING ANIMALS.
No person may hunt, trap, kill, or molest furbearing animals, predatory and unprotected wildlife in the following areas: (3-20-20)

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 (which excludes the Craters of the Moon National Preserve). (3-20-20)

02. **Hagerman Fossil Beds National Monument**. In Twin Falls County. (3-20-20)

03. **Nez Perce National Historical Park**. In Clearwater, Idaho, and Nez Perce Counties. (3-20-20)

04. **Ada County**. That portion of Ada County: (3-20-20)

a. Within Veterans Memorial Park; (3-20-20)

b. Within one quarter (1/4) mile of the Boise River from the New York Canal Diversion Dam downstream to the Glenwood Bridge; and (3-20-20)

c. Between State Highway 21 and the New York Canal from the New York Canal Diversion Dam downstream to the Boise City limits. (3-20-20)

05. **Stanley Creek**. Wildlife Interpretive Area. In Custer County. (3-20-20)

06. **Yellowstone National Park**. In Fremont County. (3-20-20)

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. (3-20-20)

08. **National Wildlife Refuges**. All or portions of national wildlife refuges, except as specified in federal regulations for individual refuges. (3-20-20)

651. -- 699. (RESERVED)

700. COMMON SEASON BOUNDARIES FOR STREAMS AND RIVERS.
Whenever a stream or river forms a boundary between two (2) different trapping areas, the stream or river channel proper will open for trapping on the earlier opening date and close on the later closing date of the two (2) seasons involved. (3-20-20)

701. --749. (RESERVED)

750. SEASONS AND LIMITS.
The Commission sets the seasons, bag limits, and possessions limits by proclamation, adopted and published in accordance with Section 36-105(3), Idaho Code. (3-20-20)

751. -- 799. (RESERVED)

800. TRAPPING REPORTS.

01. **Trapping Report Completion**. By July 31, all trappers shall fill out the mandatory furtaker harvest report, including both target and non-target catch, for the trapping license year by submission via the Department website, in person at a Department office, or by mailing to Box 25, Boise, Idaho 83707. Any trapper failing to make such a report by July 31 will be refused a license to trap animals for the ensuing year until a late report is submitted. (3-20-20)

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. (3-20-20)

801. -- 999. (RESERVED)

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