



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699

wgfd.wyo.gov

GOVERNOR
MARK GORDON

DIRECTOR
BRIAN R. NESVIK

COMMISSIONERS
PETER J. DUBE – President
PATRICK CRANK – Vice President
RALPH BROKAW
GAY LYNN BYRD
RICHARD LADWIG
DAVID RAE
MIKE SCHMID

Legislative Briefing Paper Travel, Recreation and Wildlife Committee November 30, 2020

Background

Several groups petitioned the Wyoming Game and Fish Commission (Commission) to modify trapping regulations during the April, 2020 Commission meeting.

The Commission did not modify trapping regulations at the April meeting, but directed the Wyoming Game and Fish Department (Department) to review the petitions and bring back recommendations at a future Commission meeting.

The Department formed an internal team to address the Commission's request. This team reviewed Wyoming's current trapping laws and regulations, examined surrounding state's trapping laws, reviewed trapping best management practices produced by the Association of Fish and Wildlife Agencies, and researched other relevant information.

The Department's internal team made 132 one-on-one contacts with diverse stakeholders in June and July to determine areas of concern and potential agreement regarding trapping regulation changes.

As a follow up to this effort, and to secure additional public input, the Department team facilitated a series of in-person and virtual collaborative meetings in early September.

Meetings were held in Rock Springs, Lander, Laramie, Sheridan, and Jackson. A total of 186 participants attended. Participants included legislators, WGF Commissioners, trappers, non-trappers, public land users, livestock producers, and Wildlife Services. NOTE: Lander and Laramie meetings were broadcast to allow for virtual attendance.

Based on stakeholder input and recommendations by the Department's internal team, the Department presented several recommendations to the Commission during their November meeting.

Two of the recommendations brought forward by the Department require legislative support as the Commission has limited ability to implement regulations for the take of predatory animals:

- 1) Work with the Wyoming Legislature to provide the Commission regulatory authority to implement a mandatory trapper education requirement for those who trap or snare wildlife.

- 2) Work with the Wyoming Legislature to provide the Commission authority to regulate trapping setbacks in areas with a high potential for conflict between trappers and non-trappers. These areas could include developed campgrounds, boat ramps, picnic areas, and trail heads.

In a 4-1 vote, the Commission directed the Department to move forward in working with the Wyoming Legislature on both of these recommendations. The Commission expanded upon recommendation number 2 to include high use trails.

Relevant statutes applicable to trapping discussion

23-1-101 Definitions of wildlife

- (a) As used in this act:
 - (viii) Predatory animal means:
 - (A) Coyote, jackrabbit, porcupine, raccoon, red fox, skunk, or stray cat.
 - (ix) Protected animal means black-footed ferret, fisher, lynx, otter, pika, or wolverine.

23-1-302 Powers and duties

- (a) The Commission is directed and empowered:
 - (i) To fix season and bag limits, open, shorten or close seasons including providing for season extensions for hunters with disabilities as established by commission rules and regulations, on any species or sex of wildlife for any type of legal weapon, EXCEPT predatory animals, predacious birds, protected animals, and protected birds, in any specified locality of Wyoming, and to give notice thereof.

23-3-103

- (a) Predatory animals and predacious birds may be taken without a license in any manner and at any time EXCEPT as provided by:
 - **23-2-303 (d)**
 - The Commission, following consultation with other affected entities, may promulgate rules and regulations establishing specifications for SNARES, breakaway weights, location of breakaway devices, loop size and anchors for trapping and snaring FURBEARING and PREDATORY animals.
 - All TRAPS and SNARES used for FURBEARING or PREDATORY animals shall be permanently marked or tagged with the name and address of the owner or the identification number assigned to the owner by the department.
 - No trap or snare shall be set for furbearing or predatory animals within thirty (30) feet of any exposed bait or carcass over five (5) pounds in weight.
 - Unless otherwise specified in this subsection, all steel-jawed leghold traps shall be checked by the owner at least once during each seventy-two (72) hours period unless extensions are granted by the department.
 - All snares and quick kill body grip traps shall be checked by the owner not less than once each week unless extensions are granted by the department.
 - All wildlife caught in any trap or snare shall upon discovery, be removed immediately by the owner.
 - **23-3-112**

- No person shall take any wildlife with any fully automatic weapon.
- **23-3-304(b)**
 - No person shall take any game animal, game bird, or game fish, and use any parts thereof, for bait to trap or poison any wildlife of Wyoming.
- **23-3-305**
 - (a) No person shall hunt, shoot, or attempt to kill any wildlife from any public road or highway.
 - (b) No person shall enter upon the private property of any person to hunt, fish, collect antlers or horns, or trap without the permission of the owner or person in charge of the property.
 - (e) No person shall hunt at night upon the privately owned or leased lands except with written permission of the landowner or lessee.

Wyoming Constitution

The Sixty First Legislature (2011) of the State of Wyoming passed a JOINT RESOLUTION proposing to amend the Wyoming Constitution by recognizing and preserving the heritage of Wyoming citizens' opportunity to fish, hunt and trap wildlife. This resolution, placed on the ballot in 2012, was passed by 84% of the voters. It reads:

Article 1. Section 38. Opportunity to hunt, fish and trap.

The opportunity to fish, hunt and trap wildlife is a heritage that shall forever be preserved to the individual citizens of the state, subject to regulation as prescribed by law, and does not create a right to trespass on private property, diminish other private rights or alter the duty of the state to manage wildlife.