

Wildlife Management Division

Report on Executive Order 2010-029

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Proposed Amendments to 19.32.2, NMAC
Trapping and Furbearers Rule

August 28, 2010

NM State Game Commission Meeting

Albuquerque

Executive Order 2010-029

Directs the Department of Game and Fish to temporarily ban trapping in the portion of the Blue Range Wolf Recovery Area located in New Mexico.

The ban shall:

1. Prohibit trapping by persons licensed to trap pursuant to NMSA 1978, Section 17-5-5 and youth under the age of twelve years. This prohibition should not affect the right of a resident to trap animals in order to protect livestock, domesticated animals, or fowl. The ban shall be in effect for six months starting on November 1, 2010, while the two studies described below are completed.

EO 2010-029 Cont'd

2. Prohibit all methods of capturing a furbearer on land or in water, including leg-hold traps, neck and leg snares, Conibear kill traps, body-crushing traps, natural and man-made cubby sets, and other methods of trapping specified in 19.32.2.10 NMAC. The New Mexico Department of Game and Fish and the government of the United States and its agencies are exempted from this closure if the Mexican Gray Wolves require capture for medical treatment, monitoring, or relocation.
3. Direct the Department to undertake a study of the various types of traps and snares allowed in New Mexico and to determine the level of risk to the Mexican Gray Wolf associated with the various traps and snares. The Department shall then pursue appropriate regulations to allow trapping within the Recovery Area only by use of traps and snares that pose minimal risk of harm or injury to the Mexican Gray Wolf.

EO 2010-029 Cont'd

- Also directs the Department of Tourism to undertake a study on the potential economic benefits of ecotourism related to recovery of the Mexican Gray Wolf in the Recovery Area.

Proposed Amendment to 19.32.2, NMAC Trapping and Furbearers Rule

19.32.2.10, NMAC

- Commencing November 1, 2010, for a minimum of six months, it shall be illegal to place, set or maintain any steel trap, conibear trap or snare anywhere within the Blue Range Wolf Recovery Area in New Mexico, public land which is comprised of the Gila and Apache National Forest, unless otherwise allowed by statute. The prohibition shall remain in place until the State Game Commission takes action based upon a Department study to assess the risks to Mexican gray wolves due to trapping and a determination if some methods of trapping could be allowed that pose minimal risk of injury to the Mexican gray wolf.

Department Study

- Literature review
- Assn. of Fish and Wildlife Agencies – Review of Best Management Practices
- Consultation with USFWS
- Consultation with trapping organizations
- Target date for completion – April 2011

Public Comment

- E-mail and letters – 28 to date
 - 1 robo e-mail request to permanently ban trapping – 514 copies
 - 10 support ban
 - 17 oppose ban

Path Forward

- The Department's final recommendation on Group C rules will be posted on the Department website on August 31
- The rules will be presented for adoption by the State Game Commission at their September 30 meeting in Ruidoso