

## **R657. Natural Resources, Wildlife Resources.[]**

### **R657-11. Taking Furbearers and Trapping.**

#### **R657-11-1. Purpose and Authority.**

- (1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this rule for taking furbearers and trapping.
- (2) Specific dates, areas, number of permits, limits, and other administrative details which may change annually are published in the guidebook of the Wildlife Board for taking furbearers.
- (3) Take of coyotes and raccoons is regulated by the Department of Agriculture and Food pursuant to Title 4, Chapter 23, Agricultural and Wildlife Damage Prevention Act. The division, through the Wildlife Board, is charged in Sections 23-14-1 and 23-14-18 to conserve protected wildlife and establish regulations considered necessary to accomplish that directive, including regulating the means by which protected wildlife may be taken. The trapping device use regulations in this rule concerning coyotes and raccoons are intended solely to minimize take of nontargeted protected wildlife, maximize potential for successful release of nontargeted protected wildlife, detect illegal trap sets targeting protected wildlife, and protect compliant trappers from criminal liability otherwise applicable to taking nontargeted protected wildlife in a trapping device.

#### **R657-11-3. License, Permit and Tag Requirements.**

- (1) A person who has a valid furbearer license may take furbearers during the established furbearer seasons published in the guidebook of the Wildlife Board for taking furbearers.
- (2) A person who has a valid furbearer license and valid bobcat permits may take a bobcat during the established bobcat season published in the guidebook of the Wildlife Board for taking furbearers.
- (3) A person who has a valid furbearer license and valid marten trapping permit may take marten during the established marten season published in the guidebook of the Wildlife Board for taking furbearers.
- (4) A person who has a valid trap registration license may use a trapping device to take furbearers, [cougars](#), coyotes, or raccoons, as authorized in the Wildlife Code, this rule and the guidebooks of the Wildlife Board.
- (5) Any license, permit, or tag that is mutilated or otherwise made illegible is invalid and may not be used for taking or possessing furbearers.

#### **R657-11-8. Trap Registration Numbers.**

- (1)(a) Except as provided in Subsection (1)(a)(ii), a person must possess a valid trap registration license before using any trapping device to take a furbearer, coyote, or raccoon.
  - (i) A trap registration license is required in addition to any other license, permit, or tag required by this rule to take a furbearer.
  - (ii) A trap registration license is not required for trapping a coyote, or raccoon when the trapping device is set within 600 feet of a building or structure occupied or utilized by humans or domestic livestock, provided the trapping device is set with the landowner's or lessee's permission.
- (b) To obtain a trap registration license, a person must:
  - (i) provide the following information when requested by the division:
    - (A) full name;
    - (B) complete home address;
    - (C) email address;
    - (D) phone number;
    - (E) date of birth; and
    - (F) any other information requested by the division; and
  - (ii) pay a \$10 license fee.
- (c) The division may deny issuing a trap registration license if the applicant;
  - (i) is subject to an administrative or judicial order suspending any hunting, trapping or fishing privilege;
  - (ii) has violated any provision in Title 23 of the Utah Code, or rules or guidebooks of the Wildlife Board; or
  - (iii) fails to pay the one-time \$10 license fee.
- (d) The division may suspend a trap registration license, as provided in Sections 23-19-9, 23-25-5, and 23-25-6.
- (e) The trap registration license must be carried on the person of the individual it is issued to while setting, checking or moving trapping devices.
- (f) A trap registration license shall include a unique trap registration number printed on its face that is permanently assigned to the licensee.
  - (2)(a) Each trapping device used to take a furbearer, [cougar](#), coyote, or raccoon-must be permanently, legibly, and indelibly marked or tagged with the trap registration number of the owner.
  - (b) A trap registration number is not required on a trapping device set within 600 feet of a building or structure occupied or utilized by humans or domestic livestock, provided the trapping device is set:
    - (i) to capture a coyote or raccoon; and
    - (ii) with the landowner's or lessee's permission.
  - (3) No more than one trap registration number may be on a single trapping device.
  - (4) Each individual is issued only one trap registration number.

- (5) Except as provided in R657-11-9, a person may not take a furbearer, coyote, or raccoon with any trapping device marked with the trap registration number of another person.
- (6) A person may not lend, transfer, sell, give, or assign a trap registration license or trap registration number to another person or entity.
- (7) Any person who has obtained a trap registration number must notify the division within 30 days of any:
  - (a) change in address: or
  - (b) theft of trapping devices.

#### **R657-11-9. Trapping Devices.**

- (1) Any foothold traps used to take a furbearer, cougar, coyote, or raccoon must have spacers on the jaws which leave an opening of at least 3/16 of an inch when the jaws are closed, except:
  - (a) rubber-padded jaw traps,
  - (b) traps with jaw spreads less than 4.25 inches, and
  - (c) traps that are completely submerged under water when set.
- (2)(a) Any cable devices (i.e snares), used to take a furbearer, cougar, coyote, or raccoon, except those set in water or with a loop size less than 3 inches in diameter, must be equipped with a breakaway lock device that will release when any force greater than 300 lbs. is applied to the loop.
  - (b) Breakaway cable devices must be fastened to an immovable object solidly secured to the ground.
  - (c) The use of drags is prohibited.
- (3) On the middle section of the Provo River, between Jordanelle Dam and Deer Creek Reservoir, the Green River, between Flaming Gorge Dam and the Utah Colorado state line; the Colorado River, between the Utah Colorado state line and Lake Powell; and the Escalante River, between Escalante and Lake Powell, trapping for a furbearer, coyote, or raccoon within 600 yards of either side of these rivers, including their tributaries from the confluences upstream 1/2 mile, is restricted to the following devices:
  - (a) Nonlethal-set foot hold traps with a jaw spread less than 5 1/8 inches, and nonlethal-set padded foot hold traps. Drowning sets with these traps are prohibited.
  - (b) Body-gripping, killing-type traps with body-gripping area less than 30 square inches.
  - (c) Nonlethal dry land cable devices equipped with a stop-lock device that prevents it from closing to less than a six-inch diameter.
  - (d) Size 330, body-gripping, killing-type traps modified by replacing the standard V-trigger assembly with one top side parallel trigger assembly, with the trigger placed within one inch of the side, or butted against the vertical turn in the Canadian bend.
- (4) A person may not disturb or remove any trapping device, except:
  - (a) the owner of the trapping device;
  - (b) peace officers in the performance of their duties;
  - (c) the landowner where the trapping device is set;
  - (d) the owner of a domestic pet caught in the device may disturb the device to remove the domestic pet; or
  - (e) as provided in Subsection (6).
- (5) A person may not kill or remove wildlife caught in any trapping device, except:
  - (a) the owner of the trapping device who possesses the permit, license, tag, or legal authorization required for the species that is captured;
  - (b) a peace officer in the performance of their duties;
  - (c) as provided in Subsection (6); or
  - (d) as provided in R657-11-11.
- (6)(a) A person, other than the owner, may possess, set, disturb or remove a trapping device; or temporarily possess, kill or remove wildlife caught in a trapping device provided:
  - (i) the trapping device is appropriately marked with the owner's trap registration number;
  - (ii) the person possesses a valid furbearer license and appropriate permits or tags when working with furbearer sets;
  - (iii) the person's trap registration license or furbearer license are neither denied nor suspended; and
  - (iv) the person has obtained written authorization from the owner of the trapping device with the following information printed on the authorization in permanent ink:
    - (A) date written authorization was obtained;
    - (B) name, address, and phone number of the owner;
    - (C) owner's trap registration number;
    - (D) the name of the individual being given authorization; and
    - (E) signature of owner.
- (b) Nothing in Subsection (6)(a) authorizes a person to use the owner's trap registration license, furbearer license, permit or tag.
- (7) The owner of any trapping device providing written authorization to another person under Subsection (6) may be criminally liable and civilly responsible under Section 23-19-9 for any violations of Title 23, this rule, or applicable guidebooks resulting from the use of the trapping device by the authorized person.
- (8) The owner of any trapping device providing written authorization to another person under Subsection (6) must keep a record of all persons obtaining written authorization and furnish a copy of the record upon request from a conservation officer.
- (9)(a) A person may not set any trapping device on posted private property without the landowner's or lessee's written permission.
  - (b) Wildlife officers should be informed as soon as possible of any illegally set trapping devices.

(10) Peace officers in the performance of their duties may seize all trapping devices and wildlife used or held in violation of this rule.

(11) Except as provided in Subsection (6), a person may not possess any trapping device that is not permanently marked or tagged with that person's trap registration number while setting, checking, or moving a trapping device targeting a furbearer, coyote, or raccoon.

(12) All trapping devices used to take a furbearer, coyote, or raccoon must be checked and animals removed at least once every 48 hours, except;

(a) killing traps striking dorso-ventrally;

(b) drowning sets; and

(c) lethal cable devices that are set to capture on the neck, that have a nonrelaxing lock, without a stop, and are anchored to an immovable object; which must be checked every 96 hours.

(13)(a) A person may not remove from a trapping device and thereafter transport or possess:

(i) live protected wildlife; or

(ii) a live coyote or raccoon in violation of Section 4-23-111.

(b) Any live animal found in a trapping device must be:

(i) euthanized and removed from the device by the trapper within the 48-hour trap check period in R657-11-9(12); or

(ii) released immediately by the trapper unharmed.

(14) The trapping restrictions in Subsections (1), (2), and (3) do not apply to a trapping device set within 600 feet of a building or structure occupied or utilized by humans or domestic livestock, provided the trapping device is set:

(a) to capture a coyote or raccoon; and

(b) with the landowner's or lessee's permission.

#### **R657-11-10. Use of Bait.**

(1) A person may not use protected wildlife or its parts as bait or scent to take a furbearer, [cougar](#), coyote, or raccoon, except for the following:

(a) White-bleached bones of protected wildlife with no hide or flesh attached; and

(b)(i) parts of legally taken furbearers; and

(ii) nonprotected wildlife.

(2) Trapping devices used to take furbearer, [cougar](#), coyote, or raccoon;

(a) may not be set within 30 feet of any exposed bait;

(b) may ~~not~~ be placed near carcasses of protected wildlife provided the carcass has not been moved for the purpose of trapping and the trapping device is not located within 30 feet of the carcass.

(3) White-bleached bones with no hide or flesh attached may be set within 30 feet of a trapping device.

(4)(a) Bait used inside an artificial cubby set must be placed at least eight inches from the opening.

(b) Artificial cubby sets must be placed with the top of the opening even with or below the bottom of the bait so that the bait is not visible from above.

(c) A person using bait is responsible if it becomes exposed for any reason.

(5) The trapping restrictions in Subsections (2) and (4) do not apply to a trapping device set within 600 feet of a building or structure occupied or utilized by humans or domestic livestock, provided the trapping device is set;

(a) to capture a coyote, or raccoon; and

(b) with the landowner's or lessee's permission.

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