

Chapter 220-417 WAC

WILDLIFE—HUNTING—TRAPPING

WAC

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220-417-040	Use of body-gripping traps—Special trapping permit required.

WAC 220-417-010 Trapping seasons and regulations. (1) Statewide trapping seasons:

SPECIES	SEASON DATES
Badger, Beaver, Bobcat, Marten, Mink, Muskrat, Raccoon, Red Fox, River Otter, and Weasel	Nov. 1 - Mar. 31 during the current license year

(2) Participation requirements:

(a) To be issued your first Washington state trapping license an individual must pass the Washington state trapper education exam.

(b) Licensed trappers must comply with reporting requirements in WAC 220-417-020.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-417-010, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-033 (Order 15-95), § 232-28-516, filed 4/28/15, effective 5/29/15. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240. WSR 09-09-083 (Order 09-53), § 232-28-516, filed 4/15/09, effective 5/16/09.]

WAC 220-417-020 Report required of licensed trappers. All trappers purchasing a trapping license must report their trapping activity, regardless of trapping success or whether they trapped or not.

(1) Trappers must report trapping activity by April 20.

(2) Reports must be made using the department's designated Trapper's Report of Catch form or internet trapper reporting system.

(3) If a trapper chooses to report using the Trapper's Report of Catch form, it is the responsibility of the licensed trapper to obtain a form and ensure the form is received by Washington Department of Fish and Wildlife, 600 Capitol Way North, Olympia, Washington 98501-1091.

(4) Any trapper not reporting by April 20 will be in non-compliance of reporting requirements.

(5) False reports will be considered the same as noncompliance.

(6) Failure to report trapping activity is an infraction, punishable under RCW 77.15.160.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-417-020, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.210, and C.F.R. Title 50, Part 21, Subpart C, Section 21.29; Migratory Bird Treaty Act. WSR 10-18-012 (Order 10-214), § 232-12-134, filed 8/20/10, effective 9/20/10. Statutory Authority: RCW 77.12.047. WSR 06-17-095 (Order 06-196), § 232-12-134,

(2/15/17)

filed 8/15/06, effective 9/15/06; WSR 06-09-021 (Order 06-67), § 232-12-134, filed 4/11/06, effective 5/12/06. Statutory Authority: RCW 77.12.040. WSR 99-17-034 (Order 99-118), § 232-12-134, filed 8/11/99, effective 9/11/99; WSR 84-16-015 (Order 232), § 232-12-134, filed 7/23/84; WSR 81-22-002 (Order 174), § 232-12-134, filed 10/22/81; WSR 81-12-029 (Order 165), § 232-12-134, filed 6/1/81. Formerly WAC 232-12-280.]

WAC 220-417-030 Wild animal trapping. (1) The trapping season authorizes the taking of furbearing animals for their hides and pelts only. Furbearers may not be taken from the wild and held alive for sale or personal use without a special permit from the director.

(2) Any wildlife trapped for which the season is not open shall be released unharmed. Any wildlife that cannot be released unharmed must be left in the trap, and the department of fish and wildlife must be notified immediately.

(3) Lawfully trapped wild animals must be lethally dispatched or immediately released. A firearm may be used to dispatch trapped animals.

(4) It is unlawful to trap for wild animals:

(a) With body-gripping traps without a special permit from the director.

(b) Unless kill traps are checked and animals removed within seventy-two hours.

(c) Unless animals captured in restraining traps (any nonkilling set) are removed within twenty-four hours of capture.

(d) Using game birds, game fish or game animals for bait, except nonedible parts of game birds, game fish or game animals may be used as bait.

For purposes of this section, the meat of animals classified as furbearing animals in WAC 220-400-020 is not considered edible.

(e) Within thirty feet of any exposed meat bait or nonedible game parts which are visible to flying raptors.

(5) Game bird feathers may be used as an attractor.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-417-030, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-033 (Order 15-95), § 232-12-141, filed 4/28/15, effective 5/29/15. Statutory Authority: RCW 77.12.040, 77.12.020, 77.32.070, 77.32.530. WSR 01-10-048 (Order 01-69), § 232-12-141, filed 4/26/01, effective 5/27/01. Statutory Authority: RCW 77.12.040. WSR 00-20-032 (Order 00-197), § 232-12-141, filed 9/27/00, effective 10/28/00; WSR 99-17-034 (Order 99-118), § 232-12-141, filed 8/11/99, effective 9/11/99; WSR 98-01-207 (Order 97-253), § 232-12-141, filed 12/23/97, effective 10/1/98; WSR 92-18-083 (Order 563), § 232-12-141, filed 9/2/92, effective 10/3/92; WSR 90-19-097 (Order 460), § 232-12-141, filed 9/19/90, effective 10/20/90; WSR 87-15-082 (Order 293), § 232-12-141, filed 7/20/87; WSR 81-12-029 (Order 165), § 232-12-141, filed 6/1/81. Formerly WAC 232-12-310.]

WAC 220-417-040 Use of body-gripping traps—Special trapping permit required. (1) As used in this section, unless the context clearly requires otherwise, the following definitions apply:

(a) "Body-gripping trap" as defined by RCW 77.15.192 means a trap that grips an animal's body or body part. Body-gripping trap includes, but is not limited to, steel-jawed leg-hold traps, padded-jaw leghold or padded foot-hold traps, Conibear traps, neck snares, and nonstrangling foot snares. Cage and box traps, suitcase-type live beaver traps, and common rat and mouse traps are not considered body-gripping traps.

(b) "Conibear or Conibear-type trap" means any trap of various manufacturers having design and operational characteristics essentially the same as or like that developed by Frank Conibear and designed and set to grip and hold an animal's body across its main axis.

(c) "Padded-jaw leghold" or "padded foot-hold trap" means a trap designed and set to grip the foot of an animal, both jaws of which are covered with rubber pads having a minimum thickness of one-eighth inch.

(d) "Nonstrangling-type foot snare" means a cable or wire designed and set to encircle and hold an animal's foot or limb. Noose traps used in falconry are not considered non-strangling-type foot snare traps because they are not designed to ultimately kill the bird but rather to ensure the bird's health and safety and cause no harm by using slip nooses which are constructed of monofilament nylon.

(e) "Special trapping permit" means a permit issued to a person under the authority of RCW 77.15.194 and the provisions of this section to use certain body-gripping traps to abate an animal problem for thirty days.

(f) "Permittee" means the person to whom a special trapping permit is granted.

(2) It is unlawful to trap wildlife using body-gripping traps without a special trapping permit issued by the department.

(3) It is unlawful to fail to comply with any conditions of a special trapping permit to trap.

(4) Persons issued a special trapping permit must submit a report of wildlife taken to the department within ten days after the permit expiration date as defined on the permit.

(5) It is unlawful to knowingly offer to sell, barter, or otherwise exchange the raw fur or carcass of a mammal that has been trapped pursuant to a special trapping permit.

(6) A person seeking a special trapping permit shall complete and submit a department-provided application.

(7) To conduct wildlife research, the applicant shall submit a scientific collection permit application as provided by the department.

(8) One permit renewal may be requested by completing the justification and applicant certification on the report of animals taken.

(9) The conditions of a special trapping permit shall be determined by the department and be annotated on the permit.

(10) All parts of animals taken under a special trapping permit must be properly disposed of in a lawful manner. Raw fur may only be retained for personal use or education purposes which do not result in retail sale or commerce.

(11) Any retention of raw fur obtained through the use of a special trapping permit requires a valid Washington state trapper's license unless the carcass is accompanied by a transfer authorization, as described in WAC 220-200-120, from a licensed trapper.

(12) A copy of the permit shall be in the immediate possession of the person authorized to trap pursuant to a permit.

(13) A special trapping permit may be denied when, in the judgment of the department:

(a) Other appropriate nonlethal methods to abate damage have not been utilized;

(b) The alleged animal problem either does not exist or the extent is insufficient to justify lethal removal;

(c) The use of the requested body-gripping trap(s) would result in direct or indirect harm to people or domestic animals;

(d) The use of the requested body-gripping trap(s) would conflict with federal or state law, local ordinance or department rule.

(e) The application is incomplete.

(14) A special trapping permit may be revoked if the department determines:

(a) Information contained in the application was inaccurate or false;

(b) The permittee or person trapping under the permit fails to comply with any of the permit conditions; or

(c) The permittee or person trapping under the permit exceeds the number of animals authorized.

(d) Information becomes available that otherwise would have led to the denial of the original application or the inclusion of additional conditions in the permit.

(15) If the department denies or revokes a special trapping permit the department will provide the applicant a written notice including a statement of the specific reason(s) for the denial or revocation.

(a) The applicant may request an appeal to contest the denial or revocation pursuant to chapter 34.05 RCW. The department must receive an appeal request in writing within twenty days from the mailing date of the notice of denial or revocation. Address appeals to WDFW Legal Services Office, 600 Capitol Way North, Olympia, Washington 98501-1091.

(b) A notice contested by written appeal is final when that proceeding ends in a final order pursuant to chapter 34.05 RCW, or is otherwise dismissed.

(c) If there is no timely request for an appeal, then the department's denial or revocation of the permit is final and effective on the 21st calendar day following the mailing date of the notice of denial or revocation.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-417-040, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.240, 77.12.320, 77.12.-150, 77.15.245, and chapter 77.36 RCW. WSR 16-04-066 (Order 16-18), § 232-12-142, filed 1/28/16, effective 2/28/16. Statutory Authority: RCW 77.12.047. WSR 01-17-067 (Order 01-165), § 232-12-142, filed 8/15/01, effective 9/15/01.]