

# Department of Inland Fisheries and Wildlife

## Commissioner Briefing Memo for Proposed Rulemaking

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**DATE:** 7/17/2018

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**AGENCY:** 09-137 Inland Fisheries and Wildlife

**CHAPTER NUMBER AND TITLE:** Chapter 4.01 – Upland Game & Furbearing Animals

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- **Principle reason or purpose for proposing the rule:**

The Department regularly adjusts furbearer hunting and trapping regulations in response to emerging scientific information, changes in trapper participation, and biological data. In 2015, the trapping regulations for several species were altered to reduce the chance of accidentally capturing lynx, which are listed as a threatened species by the federal government. Unfortunately, these changes resulted in reduced trapper participation, and caused a significant decline in harvest for fisher. Therefore, we are proposing to extend the fisher trapper season by 2 weeks in southern and central Maine to allow more opportunity for trappers to sustainably harvest this species. We are also proposing to close certain areas to beaver trapping; these closures are adjusted each year in response to requests from landowners.

- **Analysis and expected operation of the rule:**

#### Fisher Season

We propose adding 2 weeks to the end of the fisher trapping season in WMDs 12, 13, and 15 – 29. The fisher trapping season in these WMDs would run from November 15<sup>th</sup> to December 31<sup>st</sup> each year. The annual bag limit of 10 fisher per trapper would remain in effect.

#### Beaver Closures

As in previous years, we propose replacing the current list of beaver trapping closures with new closures to accommodate the wishes of private landowners on whose land the trapping activity would occur. Townships or portions thereof are opened and closed on an individual basis to manage local beaver populations within the general season framework.

- **Brief summary of relevant information considered during development of the rule (including up to 3 primary sources relied upon)**

#### Fisher Season

In 2015, use of lynx exclusion devices became mandatory for trappers setting killer-type traps for fisher. These devices prevent the incidental capture of lynx, but are expensive to build, difficult to transport, and may reduce capture success for fisher. Following this regulatory change many trappers chose not to pursue fisher, or reduced their trapping effort for this species. Consequently, the annual fisher harvest in WMDs 12, 13, and 15-29 declined by 78%, the number of trappers capturing fisher declined by 72%, and the average number of fisher harvested per trapper declined by 18%. Since 2015, trapper success rates and total fisher harvest have remained relatively constant, indicating that current harvest rates are sustainable and that the population could support the small increase in harvest that may result from a lengthened season. A statewide annual bag limit of 10 fisher/trapper will remain in effect to prevent high harvest levels by individual trappers.

#### Beaver Closures

Regional wildlife biologists consider requests from landowners to close areas to beaver trapping, in conjunction with the amount of habitat, past harvests, and complaints of beaver damage to public property. This information is used to develop a recommendation on closures for the upcoming trapping season.

- **Public Hearing Request:** Do you anticipate the need for a public hearing? (X )Yes ( )No

One public hearing in the Augusta area.

- **List possible opponents and proponents:**

The Maine Trappers Association have voiced their support for an extension to the fisher trapping season to provide more opportunity for their members to pursue fisher. Some members of the trapping community may be opposed to the proposed rule because it prohibits beaver trapping in some areas.

Landowners that have requested the proposed beaver trapping closures will be supportive of the changes.

Some citizens may oppose extending the fisher trapping season because they are opposed to trapping in general, or because they are concerned that the expanded seasons may cause populations to decline.

- **Fiscal impact municipalities or counties (if any):**

No fiscal impact is anticipated to municipalities or counties.