

# Notice of Agency Rule-making Proposal

ADVERTISE: September 16, 2020

AGENCY: Inland Fisheries and Wildlife

CHAPTER NUMBER AND TITLE: Chapter 17 – Trapping (coyote trapping season)

PROPOSED RULE NUMBER *(leave blank; assigned by Secretary of State)*:

CONTACT PERSON FOR THIS FILING: Becky Orff, Inland Fisheries & Wildlife, 41 State House Station, 284 State Street, Augusta, ME 04333; Tel: 207-287-5202; [becky.orff@maine.gov](mailto:becky.orff@maine.gov)

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different):

PUBLIC HEARING (if any): October 7, 2020 @ 4:00pm - via video conference (Microsoft Teams). Contact the Agency Contact Person by close of business October 6, 2020 for details.

COMMENT DEADLINE: October 19, 2020

**BRIEF SUMMARY:** The Department of Inland Fisheries and Wildlife has received a valid petition to consider amending Chapter 17 rules as they pertain to the coyote trapping season. The petitioner’s request would modify rules and remove the coyote from the statewide general trapping season. Please contact the agency contact person above for a complete copy of the proposed rule. **NOTICE:** Due to the state of emergency that has been declared by the Governor, public hearings are now closed to the public physically attending. The public is strongly encouraged to submit any comments in writing to the Agency Contact Person. However, if you would like to submit comment via video conference, please contact Becky Orff at 207-287-5202 or [becky.orff@maine.gov](mailto:becky.orff@maine.gov) for details. Thank you for your understanding while we are experiencing this state of emergency.

IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact is anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 12 MRSA, Section 10104, 12251

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different):

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: [Becky.Orff@maine.gov](mailto:Becky.Orff@maine.gov)

*\* Check one of the following two boxes.*

*The above summary is for use in both the newspaper and website notices.*

*The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.*

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**Please approve bottom portion of this form and assign appropriate AdvantageME number.**

APPROVED FOR PAYMENT \_\_\_\_\_ DATE: \_\_\_\_\_

*(authorized signature)*

FUND            AGENCY            ORG            APP            JOB            OBJT            AMOUNT

**RULEMAKING FACT SHEET  
(5 M.R.S.A., Section 8057-A)**

AGENCY: Inland Fisheries and Wildlife

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON: Becky Orff, Inland Fisheries and Wildlife, 284 State Street, 41 State House Station, Augusta, ME 04333; Tel: 207-287-5202

CHAPTER NUMBER AND RULE TITLE: Chapter 17 – Trapping (coyote trapping season)

STATUTORY AUTHORITY: 12 MRSA, Section 10104, 12251

TYPE OF RULE:         Routine Technical     Major Substantive

DATE AND PLACE OF PUBLIC HEARING: October 7, 2020 @ 4:00pm - via video conference (Microsoft Teams). Contact the Agency Contact Person by close of business October 6, 2020 for details.

COMMENT DEADLINE: October 19, 2020

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE:

The Department received a valid petition to consider the proposed rule.

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

If adopted, this would modify several sections of Chapter 17 rules. The petitioner has proposed amendments that would remove the coyote from the statewide general trapping season and end recreational trapping for coyotes.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (INCLUDING UP TO 3 PRIMARY SOURCES):

The proposed rule is the result of the petitioner's request. A valid petition was received with the required number of signatures requesting the rule change.

FISCAL IMPACT OF THE RULE: No fiscal impact anticipated.

*Note: If necessary, additional pages may be used.*

**AMEND CHAPTER 17 RULES AS FOLLOWS:**

**09-137 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**Chapter 17: TRAPPING**

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**17.05 Statewide General Trapping Season**

<b>Statewide General Trapping Season</b>		
<b>Date Season Open</b>	<b>Species</b>	<b>Location</b>
<b>Bobcat</b> <b>Coyote</b> <b>**Fisher</b> (see exceptions for fisher below) <b>Fox</b> <b>Marten</b> <b>Mink</b> <b>Muskrat</b> <b>Opossum</b> <b>Otter</b> <b>Raccoon</b> <b>Red Squirrel</b> <b>Skunk</b> <b>Weasel</b>	<b>Opens the Sunday preceding the 1<sup>st</sup> day of the regular firearm season on deer through December 31<sup>st</sup> annually.</b>	<b>Statewide</b>
<b>**Fisher</b>	<b>Nov. 15<sup>th</sup> – Dec 31<sup>st</sup></b>	<b>WMDs 12, 13, &amp; 15-29</b>

**17.06 Seasons and Specific Information for Trapping of Furbearing Animals**

**Table of Contents**

- 1. Bear Trapping**
- 2. Beaver Trapping**
- 3. Muskrat Trapping**
- 4. Early Fox and Coyote Trapping Season**
- 5. Fisher Trapping**
- 6. Marten Trapping**

**4. Early Fox and Coyote Statewide Trapping Season Dates**

**A. Season Dates**

There shall be an early fox and coyote trapping season statewide from the Sunday two weeks before the opening of the general fall trapping season through the day before the opening of the general fall trapping season.

**B. Exemption to Incidental Catch Requirements for Early Fox and Coyote Trapping**

Any raccoon, skunk or opossum taken incidental to fox and coyote trapping may be lawfully possessed. During this early trapping season, except as provided in this section, it is unlawful to take or possess any furbearing animal other than fox, coyote, raccoon, skunk and opossum.

**C. Additional Restrictions for Early Fox ~~and Coyote~~ Trapping Season**

In addition to department rules and state laws which affect trapping in general, the following restrictions also apply when trapping during the early fox ~~and coyote~~ trapping season:

- (1) The use of exposed bait or visible attractor at any trap site location is prohibited;
- (2) Killer-type traps are prohibited except as authorized within section [17.06-3-C](#). when trapping for muskrat; and
- (3) Foothold traps may not be set in the water except as authorized within section [17.06-3-C](#) when trapping for muskrat.

**17.07 Registration of Furbearing Animals**

**6. Time Limits to Register Pelts**

The pelts of all fox, bobcat, marten, fisher, ~~coyote~~, beaver, mink and otter must be presented for tagging within 10 days after trapping season closes for that species. If there is an extended trapping season for that species, tagging is required 10 days after the end of the close of the extended season. There are 2 exceptions: all bobcat taken by hunting shall be presented, by the person who harvested the bobcat, for tagging within 10 calendar days of killing the animal; and all otter taken between January 1 through April 30 must be tagged within 10 calendar days of harvesting the animal. Ten days following the close of the open trapping season, it shall be unlawful for any person to possess the pelt of any fox, bobcat, marten, fisher, ~~coyote~~, beaver, mink or otter which does not have attached to it the necessary tag.