



Fiscal Note for Proposed Wildlife Management Division Rule Amendments for the Wildlife Resources Commission

Rule Amendments: 15A NCAC 10B.0303

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Impact: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Economic Impact: No

Authority: G.S. § 113 – 134; G.S. § 113-291.1; G.S. § 113-291.2

For reasons which are outlined below, WRC believes that this rule change will have a positive fiscal impact pursuant to G.S. § 150B-21.4. An analysis of the proposed changes for the rules follows.

BACKGROUND

The wildlife resources of the State belong to the people of the State as a whole, including the enjoyment of these resources (G.S. § 113-131(a)). WRC is tasked with the conservation of wildlife resources of the State (G.S. § 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources (G.S. § 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. § 113-134). In accordance with the supply of wildlife and other factors it determines to be of public importance, the WRC may fix seasons and bag limits upon the wild animals and wild birds authorized to be taken that it deems necessary or desirable in the interests of the conservation of wildlife resources (G.S. 113.291.2(a)).

As part of its mission, WRC conducts an annual review of its fish, wildlife, boating safety, and other regulations to determine whether such rules need to be adjusted in order to accomplish the objectives of: managing wildlife resources through a biologically sustainable harvest of such resources by hunters, trappers and anglers consistent with sound conservation objectives; ensuring the safety of the boating public; managing Commission-owned land for the

conservation of wildlife resources and the enjoyment of the public; and implementing legislative directives.

In January 2008, the WRC considered a rule proposal that would have consolidated the four regional trapping seasons into one statewide trapping season (November 1 through end of February). The North Carolina Trappers Association supported this rule proposal. Due to concerns from hound hunters, the rule proposal was modified so that counties in WRC Districts 1 and 2 would have a start date of December 1. Counties in WRC Districts 3 and 4, where active dog hunting also occurs for deer and bear, did have the additional month added to their trapping season when the final rule was approved (i.e., November 1 start date). The WRC is not aware of any increase in conflicts between dog hunters and trappers resulting from the addition of one month of trapping in those counties.

I. Introduction and Purpose of Rule Change

The rule amendment would lengthen the regulated trapping season in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties (i.e., 24 counties) by starting on November 1 instead of December 1. This would consolidate the two regional trapping seasons into one statewide trapping season. The statewide trapping season would start on November 1 and close at the end of February.

The proposed change to this Rule would provide the following benefits: 1) Reduce regulatory complexity by creating one uniform trapping season statewide and making the trapping season consistent with the start date of the beaver trapping season, 2) Would allow trappers that are beaver trapping in November to keep incidentally caught otters and muskrats, and 3) Expand opportunities to trap certain wildlife species, including coyotes, by one month in a region of the state in which there have been requests to expand the trapping season to increase coyote trapping opportunities.

Trappers need written permission to trap on another person's property, which should reduce or prevent conflicts between hunters and trappers. Furbearer populations are abundant throughout North Carolina; therefore, there are no biological concerns that the new season would negatively impact furbearer populations. Fur dealers report that canids can be prime by late October, so some furbearers trapped in November could be utilized for their fur. In addition, coyotes are actively dispersing in fall, resulting in increased success for those trappers targeting coyotes.

Colleen Olfenbittel, the Commission's Black Bear and Furbearer Biologist, discussed this proposal with the North Carolina Trappers Association (NCTA) at their board meeting on July 1, 2018. The NCTA board expressed support for this rule amendment. Kevin Myers is also a fur dealer and stated that fox and coyote fur can be prime by late October, so fur from wildlife trapped in November could be utilized. Lastly, he agreed that the extended season would allow trappers to legally keep and sell incidentally captured otters and muskrats, which may increase beaver trapping efforts in these counties.

II. Other considerations (non-fiscal)

Hound hunters may have concerns that the trapping season starts 1 month earlier than what is currently allowed, creating a longer overlap between trapping and hunting seasons. However, trappers must have annual written landowner permission and their traps must be tagged with

their name and address. Trapping may only occur with the landowner's consent and support. Therefore, the landowner controls who has legal access to his/her property by trapping and hunting, which should address concerns about perceived conflicts between these two user groups. Assuming the trapper follows all legal requirements, if a dog is incidentally captured by a trap, it is because 1) the hunter chose to hunt on property where trapping was permitted by the landowner, or 2) the dog is on property without permission from the landowner.

III. Fiscal Impact

State impact

There could be positive fiscal effects resulting from trappers increasing their beaver trapping activities now that they can also keep otters and muskrats. Currently, trappers may delay water trapping until December 1, even though the beaver trapping season starts November 1, as they cannot keep any otters or muskrats they incidentally capture. The increased take of beavers may assist in reducing or preventing damage caused by beavers, such as flooding. Unfortunately, due to lack of data, the Commission is unable to estimate the potential fiscal impacts at this time.

Local impact

This rule amendment has the potential to benefit local government in 24 counties as they could have the services of a licensed trapper to proactively manage furbearer populations for 30 additional days. Several coastal communities hire licensed trappers to trap and remove coyotes during the current regulated trapping season (December 1 through end of February). This rule amendment would allow these communities to employ the services of a trapper for 30 additional days. The costs of hiring a licensed trapper are lower during the regulated trapping season as the trapper can offset their fees through the sale of prime fur that occurs in November. Outside the regulated trapping season dates, it costs more to hire a licensed trapper or Wildlife Damage Control Agent, as their fees cannot be offset by selling the fur (the fur is not prime) and additional steps must be taken to address animal welfare concerns that occur outside the regulated trapping season (e.g., heat stress, selectivity of trap, incidental captures of non-targets). However, this benefit is unquantifiable due to lack of data.

Private impact

There are potential benefits to individual licensed trappers in the 24 counties impacted by this rule amendment. The additional 30 days will likely result in an increase in harvest of furbearer species (e.g., coyote, beaver, muskrat, raccoon), thereby increasing the sale of furs and their parts. A licensed trapper may also save money in travel costs (e.g., gas, lodging) as s/he can now trap in their resident or adjacent county during November, rather than driving to counties west of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties that have a trapping season that opens on November 1. Conversely, the additional 30 days may allow some trappers to trap on more properties, not only increasing their harvest, but resulting in the sale of more trapping-related equipment and gas. Lastly, state law sets the beaver trapping season to start November 1 in all 100 counties. Under this rule amendment, licensed trappers that are beaver trapping in November would now be able to keep and sell the fur of incidentally caught otters and muskrats. However, these benefits are unquantifiable due to lack of data.

There will be positive fiscal impacts to landowners by expanding the regulated trapping season by 30 days in the area in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties (i.e., 24 counties). Unlike the other 76 counties in North Carolina, landowners in these 24 counties must wait until December 1 before enlisting the services of a licensed trapper to proactively manage certain wildlife species on their property. The increased take of certain wildlife species (e.g., beavers, raccoons, coyotes) may assist in reducing or preventing damage, disease outbreaks and other human-wildlife interactions. However, these benefits are unquantifiable due to lack of data.

APPENDIX A – Proposed Rule Text

15A NCAC 10B .0303 OPEN SEASONS

(a) General. ~~Following are the seasons for~~ The open season for the taking by trapping of fur-bearing animals as those animals are defined in G.S. 113-129(7a), including coyotes, armadillos, and groundhogs, ~~all dates being inclusive:~~ shall be November 1 through the last day of February, subject to the following:

~~(1) — November 1 through the last day of February except for that part of the state described in Subparagraph (2) of this Paragraph.~~

~~(2) December 1 through the last day of February in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties.~~

~~(3)~~(1) Trapping trapping coyotes is allowed during times and with methods described by local laws in counties where local laws have established fox trapping seasons even when those seasons fall outside the regular trapping seasons described ~~above.~~ Paragraph (a); and

~~(4)~~(2) Nutria nutria may be trapped east of I-77 at any time.

(b) Feral Swine. There is no closed season for trapping feral ~~swine~~ swine, subject to the following restrictions:

(1) ~~In~~ in addition to a hunting or trapping license, a permit issued by the Wildlife Resources Commission is required to trap feral swine. Individuals exempted from license requirements under the provisions specified in G.S. 113-276 may trap feral swine without a hunting or trapping license, but must acquire the ~~permit.~~ permit;

(2) ~~Feral~~ feral swine may be live-trapped using only corral or box traps. Corral and box traps must be constructed in a manner such that a non-target animal can be easily released or can escape without harm. The permit number must be displayed on all ~~traps.~~ traps; and

(3) ~~Feral~~ feral swine must be euthanized while in the trap and may not be removed alive from any trap.