

Proposed Furbearer Regulation Changes

1) Clarification of definitions

The definitions of fur-bearing mammal and predatory animal have been established in ORS 496.004(8) and 610.002, respectively. However, confusion may exist for certain species (e.g., beaver) that are referenced in each definition. Similar confusion may exist for coyotes, which are referenced as predatory animals in ORS 610.002 and as either predatory animals in OAR 635-050-0050(8) or unprotected mammals in OAR 635-050-0050(9). The proposed changes (in bold) to OAR 635-050-0050 are consistent with the previously listed statutes and are designed to clarify the classification of species based on the particular situation. Definitions for trailhead, water set, and land set are also proposed for clarification.

635-050-0050

Definitions

(7) "Furbearers or furbearing mammals" means beaver, bobcat, fisher, marten, mink, muskrat, **river** otter, raccoon, red fox, and gray fox. **For any person owning, leasing, occupying, possessing or having charge of or dominion over any land who is taking or attempting to take beaver or muskrat on that property, these 2 species are considered to be predatory animals.**

(8) "Predatory animals" means coyotes, rabbits and rodents which are or may be destructive to agricultural crops, products and activities.

(9) "Unprotected mammals" means, for the purposes of OAR 635-050-0015 through 635-050-0210, badger, coyote, gophers (*Thomomys bottae*, *T. bulbivorus*, *T. mazama*, *T. talpoides* and *T. townsendii*), moles (*Scapanus townsendii*, *S. orarius* and *S. latimanus*), mountain beaver (*Apolodontia rufa*), yellowbellied marmots (*Marmonta flaviventris*), nutria, opossum, porcupine, spotted skunk, striped skunk, and weasel. **For any person owning, leasing, occupying, possessing or having charge of or dominion over any land who is taking or attempting to take coyote, gopher, mountain beaver (boomer), marmot, nutria, or porcupine on that property, these 6 species are considered to be predatory animals.**

(10) "Public trail" is any trail designated, maintained, mapped and marked by any state or federal land management agency on the most current official map of the agency; for the purposes of trapping, water way, water trails designated for floating craft and public roadways are not considered a "public trail".

(11) "Trailhead", for the purposes of trapping, is the area beginning at the sign marking the origin of a public trail or segment of trail which is designated, maintained, mapped, and marked by at least one visible sign and includes any adjacent improved graveled or paved vehicle parking lot. The standard shoulder of the road is not considered part of the trailhead. Trailheads are marked by at least one visible sign posted by the responsible state or federal land management agency and identified on the most current official map of the agency. A trailhead does not include junctions between trails (posted or not) where there is no motorized vehicle access, or intersections where a trail crosses a road, or locations where users have developed an access point, but no improvements have been provided beyond minimal signage for public safety.

(12) "Water set" is any trap or snare set within a permanent water source or a seasonal water source when water is present, such that at least a portion of the trap jaws or snare loop is submerged.

(13) "Land set" is any set with a trap or snare other than a water set.