

**Notice of Public Hearing**

LSA Document #10-614

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Under [IC 4-22-2-24](#), notice is hereby given that on April 4, 2011, at 6:00 p.m., at the Plainfield Public Library, 1120 Stafford Road, Plainfield, Indiana, the Natural Resources Commission will hold a public hearing on proposed amendments to [312 IAC 9-3-14.5](#) to specify requirements for the disposition, release, and possession of live furbearing mammals and the possession of untanned hides and unprocessed carcasses of furbearing mammals during the season and amendments to [312 IAC 9-3-15](#) relating to the release or disposition of specified mammals taken while damaging property.

[IC 4-22-2-24\(d\)\(3\)](#) Justification Statement: These proposed rules govern the possession of furbearing mammals and the taking of nuisance wild animals by resident landowners and tenants on property they own or lease. The changes include allowing the possession of untanned hides and unprocessed carcasses of furbearing mammals taken during the season to be possessed until May 15, with an extension until June 15 if the hunter or trapper reports to the department the number of untanned hides and unprocessed carcasses possessed and not sold to a licensed fur buyer. The amendments allow only raccoons, red foxes, gray foxes, and coyotes to be possessed live during the trapping season for those species of animal and requires all other species of furbearing mammals that are trapped to be released within the county of capture or be euthanized within 24 hours of capture. The proposal establishes housing requirements for raccoons, red foxes, gray foxes, and coyotes kept alive during the trapping season and requires furbearers kept alive during the trapping season to be euthanized at the end of the season for that species or be kept under a game breeder license or wild animal possession permit. The amendments also remove the requirement for resident landowners and tenants to notify a conservation officer within 72 hours of taking a nuisance wild animal and clarifies that nuisance wild animals cannot be retained as pets or be sold, traded, bartered or gifted.

Currently, trappers and hunters can possess the untanned hides or unprocessed carcasses of furbearing mammals for not more than 20 days after the close of the season for that species. Trappers, including the Indiana State Trapper's Association and Furtakers of America, need additional time to possess these untanned hides and carcasses in order to be able to sell these furs at a reasonable price. The DNR has the statutory mandate in [IC 14-22-2-3](#) and [IC 14-22-2-6](#) to provide for the welfare of wild animals and believes that it is necessary to establish housing and care requirements for these wild animals that are being kept in captivity during the remainder of the season for that species. The DNR has similar standards for the housing of wild animals possessed under the game breeder license ([IC 14-22-20](#) and [312 IAC 9-10-4](#)), wild animal possession permit ([IC 14-22-26](#) and [312 IAC 9-11](#)), and wild animal rehabilitation permits ([312 IAC 9-10-9](#)). It is also necessary to limit the locations where trapped furbearing mammals are released in order to prevent the spread of diseases and parasites such as canine distemper and mange.

Additionally, the requirement that furbearing mammals that are kept in captivity be euthanized at the end of the season or be kept under a game breeder license or wild animal possession permit is consistent with existing statutes and rules. The changes to [312 IAC 9-3-15](#) that removes the requirement for resident landowners and tenants to notify a conservation officer when a nuisance mammal is taken on land they own or lease is to help reduce requirements for thousands of Hoosiers who take nuisance wild animals on their property each year. The DNR does not believe that these animals, especially those taken outside the season, should be kept as pets. They should instead be released in a proper location or euthanized to prevent any possible spread of disease.

There is no federal or state statutory requirement for these rules. Many of the changes will affect the approximately 4,000 licensed trappers within the state of Indiana and approximately 25 that may house furbearers and operate as a business. The number of trappers was obtained from the number of trapping licenses sold last year by the DNR, in addition to the number of lifetime trapping licenses sold by the DNR in previous years. The number of businesses that may house and sell these wild animals was obtained from personal conversations with trappers. Additional sources of information for determining the requirements and costs were obtained from DNR wildlife biologists, DNR conservation officers, and trappers who have provided comments to the DNR.

Copies of these rules are now on file at the Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

Bryan W. Poynter  
Chairman  
Natural Resources Commission

