

2013 Canada Lynx Regulation

ANNOTATED TEXT

4.16 Lynx

- (a) This subsection shall be effective on January 1, 2014.
- (b) Any person who incidentally captures a lynx shall notify the Department immediately.
- (c) The following regulations on traps and trapping shall only apply within the Wildlife Management Unit E.
 - (1) Foothold traps set on land must be anchored using a chain or cable no longer than 18” that is center-mounted to the trap using a swivel connection and must have at least one in-line swivel along the chain or cable.
 - (2) From the fourth Saturday in October to December 31, both dates inclusive, all body gripping traps must be set:
 - i. In the water, or;
 - ii. Within a Canada lynx exclusion device as described below and as depicted in Diagram 1:
 - a. the trap jaws shall be completely within the device;
 - b. the trap springs may extend outside of device through openings no larger than 7.5” wide by 1.5” high;
 - c. the device shall not have an opening greater than 6” by 8”;
 - d. the opening shall not be directly in front of the trap but shall instead be either on the top or side of the device;
 - e. the trap set within the device shall be a minimum of 18” from the closest edge of the opening to the trap;
 - f. there shall be at least two attachment points for each side of the device where there is a joint or where panels come together;
 - g. the device shall be constructed of wood or of wire mesh of 16 gauge or less wire (.05” diameter wire or greater) and having a mesh size with openings no greater than 1.5” X 1.5” or 1” X 2”; and,
 - h. the trap shall be anchored outside of the device; or

- iii. Off the ground as described below and as depicted in Diagram 2:
 - a. at least 5' above the ground or if snow is on the ground at least 5 feet above snow level with the exception of the 24-hour period immediately following a snowstorm;
 - b. affixed to a standing tree which is free of branches below the trap or to a leaning section of pole that has not been planed or otherwise altered except for the removal of branches and is less than 4" in diameter at the trap and is angled at least 45° along its entire length from the ground to the trap; and
 - c. in an area that is free of any object within 4' of the trap.

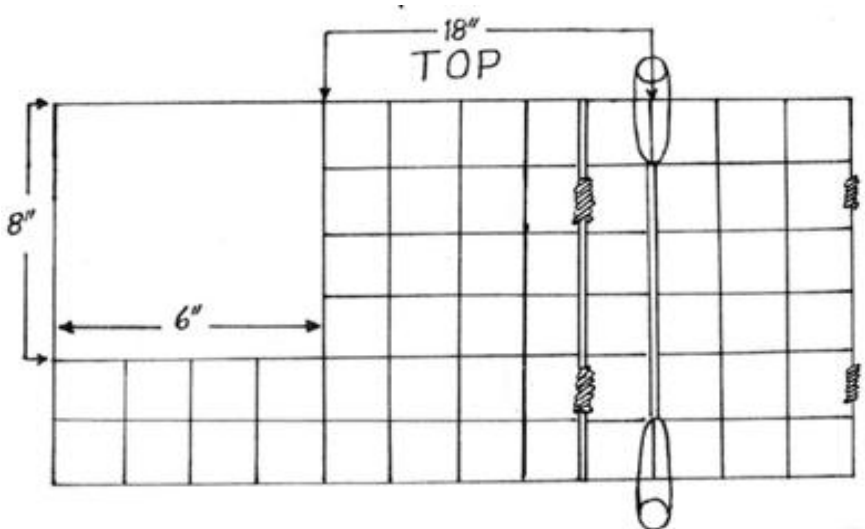
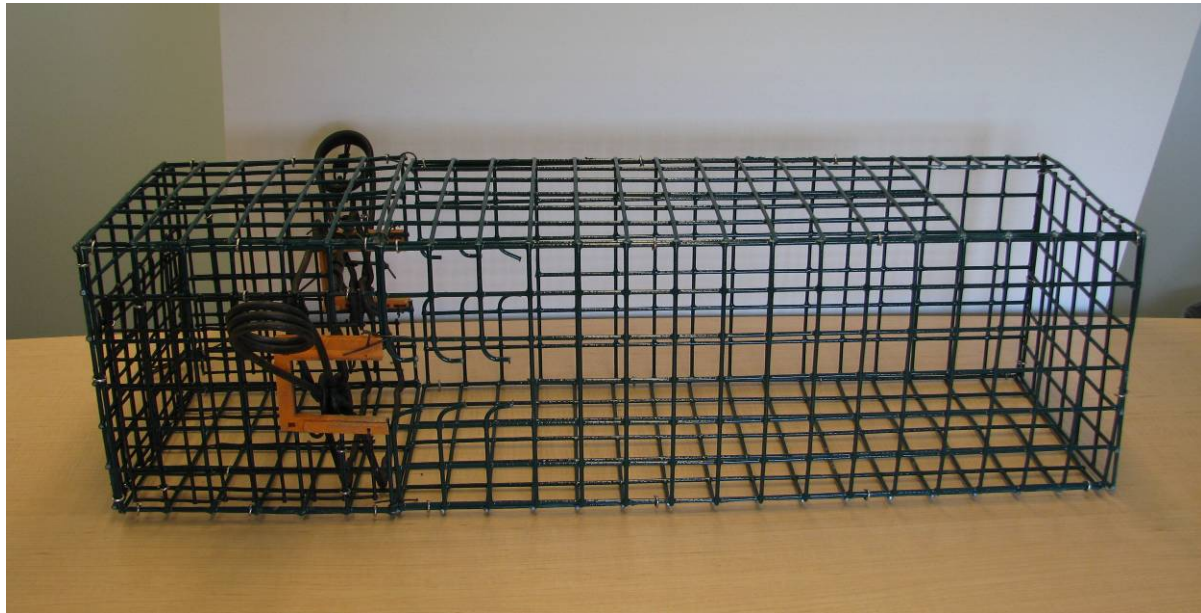
(3) From the fourth Saturday in October to December 31, both dates inclusive, body gripping traps no larger than a typical 160 (inside jaw spread up to 6.5") may also be set on the ground if placed:

- i. Under overhanging stream banks, or;
- ii. In blind sets without the aid of bait, lure or visual attractants, or;
- iii. Within a cubby constructed of artificial materials with the trap inserted at least 7" from the front and with an opening no greater than 50 square inches as depicted in Diagram 3.

(d) The establishment of a ten-year "Lynx Study Period" shall commence on the effective date of this subsection. The Department will assess the status of lynx in Vermont, identify and evaluate additional techniques and devices for avoiding incidental capture of lynx, and develop revisions to these rules in accordance with the findings of such studies and all current information. The rules set forth in this subsection 4.16 shall expire on January 1, 2024 unless such rules are either extended or amended by the Fish and Wildlife Board. The decision to extend or amend these rules shall be based on an evaluation of the following key criteria:

- (1) Reliable evidence of the presence or absence of a resident, breeding population of Canada lynx;
- (2) The availability of more effective and/or practical alternatives for avoiding the incidental capture of lynx; and
- (3) The outcome of Maine's Incidental Take Permit application process.

Diagram 1. Canada lynx exclusion device for body gripping traps.



Not drawn to scale

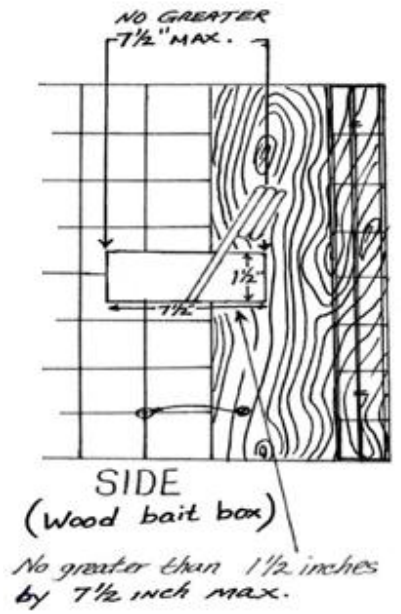


Diagram 2. Off the ground sets for body gripping traps.

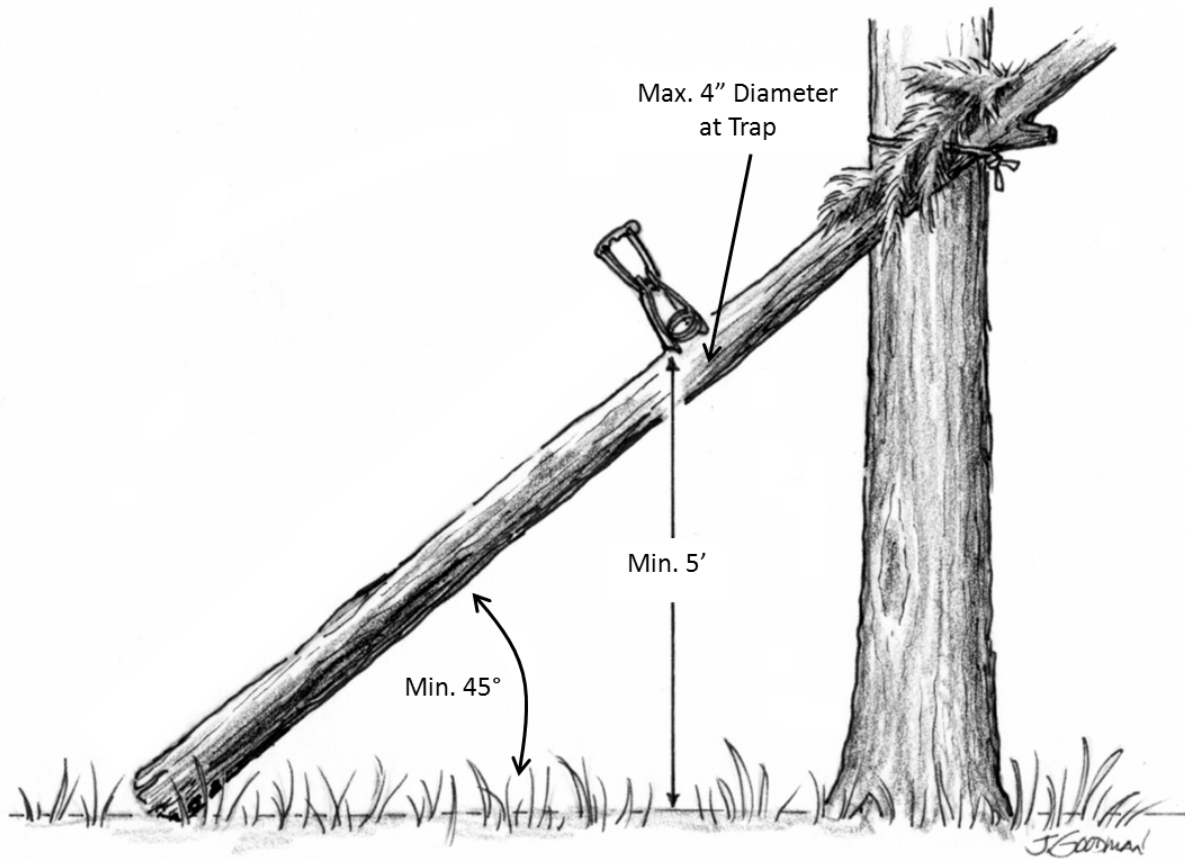


Diagram 3. Cubby sets for body gripping traps no larger than a typical 160.

