Report on Forbids Use, Sale of Snare, Leghold Traps for Most Purposes (State Measure No.5)

City Club of Portland (Portland, Or.)

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Purpose: "Proposed measure would forbid sale and use of snare and leghold traps, except temporarily to control predatory animals causing livestock loss, with State Agriculture Department permit. After November 10, 1985, measure would forbid sale and use of snare and leghold traps for any reason except to protect human health and safety, with State Health Division permit. Would not forbid use or sale of mouse, rat, gopher traps, or live "box" traps. Imposes penalties for violations."

To the Board of Governors,
The City Club of Portland:

I. INTRODUCTION

Measure 5 is an initiative measure that was placed on the November 1980 ballot through the efforts of an organization called Oregonians Against Trapping. The Measure represents an effort by this organization and others to promote the humane treatment of animals. If adopted, the Measure would prohibit the sale and use of leghold, snare, and body grip traps to catch animals, with three exceptions. The exceptions are:

1. The traps could be used to control animals that endanger human health and safety if authorized by the State Health Division.
2. Until November 10, 1985, livestock ranchers and others who suffer verified losses of animals to predators could also use leghold, snare, and body grip traps to control predators if they obtain a trapping permit from the State Department of Agriculture.
3. The Measure would not forbid the sale or use of mouse, rat, or gopher traps or live "box" traps.

II. BACKGROUND

Leghold, snare, and body grip traps presently are used in Oregon to control predatory animals and animals that damage tree seedlings and other crops, and to catch furbearing animals.

A. Predator Control

Predator control by trapping is handled primarily by the Animal Damage Control Division of the U.S. Fish and Wildlife Service (A.D.C.). Some Oregon counties conduct their own predator control program, however, without assistance from A.D.C.

Livestock ranchers who suffer losses to predators can contact A.D.C. and arrange for an A.D.C. trapper to attempt to trap the predators that caused the loss. In most cases, the trapper successfully traps the predators within two weeks after setting the traps. Ranchers are not charged a fee for this service. The total number of animals reported trapped in Oregon by A.D.C. for predator control and other purposes in 1979 was less than 4,500.

The coyote is the primary target of A.D.C. efforts in Oregon: 70 percent of the animals killed by A.D.C. in 1979 were coyotes. Although
trapping is the technique used by A.D.C. in response to most rancher requests, A.D.C. also kills coyotes by other means, such as helicopter hunting and poison.¹

For the most part, trapping of coyotes is done with steel-jaw, leghold traps. A trap of this kind springs shut on an animal's leg when the animal steps into the trap, holding it until the trapper returns. The trap is not designed to break the animal's leg or otherwise injure it, but such injuries can occur when a trap closes on a leg. In addition, coyotes and other animals caught in leghold traps can injure themselves while struggling to get free; some animals will chew off a leg to get out of a trap.

As an incidental benefit from trapping, A.D.C. officers and other trappers provide the State Health Division with information concerning the incidence of sylvan plague in the state. Plague occurs naturally in wild rodents and rabbits, hence the term "sylvan" plague.² Carnivores such as coyotes are not plague carriers, but they develop plague antibodies when they eat plague-infested rodents. Consequently, by testing blood samples from coyotes and other predators obtained from A.D.C. trappers, the Health Division obtains information concerning the extent and location of plague in the state. Participation by A.D.C. trappers in this monitoring program is voluntary.

B. Mountain Beaver Control

Trapping also is used to control damage to Douglas fir seedlings caused by mountain beavers. The mountain beaver (an animal distinct from the furbearing beaver) is a nocturnal rodent that eats plants, including young tree seedlings. These animals damage a portion of the seedlings planted to reforest areas that have been clearcut and logged. Large animals such as deer cause much more damage to these seedlings than do mountain beavers and other small animals.²

Mountain beavers usually are trapped with body grip traps that are placed in the underground burrows that the animals inhabit. A trap of this kind is designed to kill the animal quickly, in much the same manner as a rat or mouse trap. Trapping is done primarily by employees of the U.S. Forest Service or by private individuals hired by landowners.

1. Trapping is used upon request to remove specific coyotes that are causing damage. Other techniques, such as helicopter hunting, are used to reduce the coyote population in an area on a systematic basis rather than in response to a damage complaint from a rancher. More coyotes are killed by A.D.C. by helicopter hunting and other techniques than by trapping.

2. Although plague is carried by wild rodents in Oregon, it rarely is transferred to humans. Only five cases of human plague have been reported in Oregon since 1935.

3. In an unpublished study, findings indicate that 19 percent of the damage to unprotected Douglas fir seedlings is caused by deer; mountain beavers were only responsible for 1 percent. S. Polenick, "Controlling Animal Damage." p. 33. 1980.
C. Fur Trapping

Leghold, snare, and body grip traps are used in Oregon to catch fur-bearing mammals, such as beaver, nutria, muskrat, bobcat, raccoon, and coyote. There were 4,786 licensed fur trappers in Oregon in 1979-80, but only approximately 200 of them earned 25 percent or more of their income from fur trapping.

The fur trapping season generally runs from November to March when the fur on the animals is most dense. The trapping season for each animal species varies; seasons are set by the State Fish and Wildlife Commission.

The total number of fur-bearing animals reported trapped in Oregon in 1979 was approximately 100,000, representing a pelt value of approximately $1.7 million. Ninety-eight percent of the animal pelts obtained through trapping in the United States are sent to Europe for processing where trapping generally is prohibited. Eight percent return as finished products.

Approximately 70 percent of the 100,000 fur-bearing animals trapped in Oregon in 1979 were animals such as beaver, nutria, and muskrat that have aquatic habitats. These animals are trapped in leghold or body grip traps that frequently are set in water to hold the animals underwater and drown them quickly.

Professional trappers who earn a portion of their income by selling the pelts of the animals they trap endorse a mandatory trapper-training program; in 1979 the Oregon legislature made such a program voluntary. Trapper training will be reviewed by the 1981 legislature, at which time a mandatory program may again be considered.

III. ARGUMENTS ADVANCED IN FAVOR OF THE MEASURE

Proponents advanced the following arguments in favor of the Measure:

1. Trapping with leghold and snare traps is cruel and inhumane.
2. Such cruelty is particularly unjustified with regard to trapping to obtain fur, because the end product is a luxury item rather than a necessity. Over 90 percent of the animals reported trapped in Oregon in 1979 were trapped for their fur rather than for animal damage control.
3. There are cost-effective, humane alternatives to trapping that will adequately protect the livestock and timber industries from animal damage.
4. Trapping is not selective; many of the animals caught in traps are nontarget animals, i.e., animals that the trappers did not intend to catch. Most nontarget animals caught in traps are injured by the traps and must be destroyed; this is particularly true of wild rather than domestic animals.
5. A mandatory trapper-training program for fur trappers (a proposal made by Measure opponents) would not significantly reduce the suffering of animals caught in traps. Present regulations which govern trapping have not been and cannot be enforced.
Opponents advanced the following arguments against the Measure:

1. Trapping is no more cruel or inhumane than other methods of killing.
2. Trapping with leghold, snare, and body grip traps is an effective, well-recognized means to control animal damage and must be available as a control measure even if other methods are available.
3. The Measure is poorly drafted and contains several inconsistencies; for example, homeowners and others who wish to trap moles would be required to obtain trapping permits.
4. Mandatory trapper training could reduce or eliminate animal suffering by increasing trapping selectivity and emphasizing the need to check traps frequently.
5. Fur trapping provides an opportunity for people to enjoy the outdoors and become familiar with the characteristics of wild animals.
6. Trapping of coyotes provides the State Health Division with information concerning the incidence of sylvan plague in the state.
7. Predator control and fur trapping help maintain wild animal populations at appropriate levels.
8. Live box traps cannot be used to catch predators such as coyotes and are too cumbersome to use for commercial fur trapping.
9. The Measure would eliminate a significant source of income for 4700 fur trappers who run small, independent operations. Passage of the Measure would eliminate the most viable tool of the fur trapping industry.

V. DISCUSSION

All members of the Committee agree that the use of leghold and snare traps in Oregon could be reduced. The Committee is split, however, over whether Measure 5 is the appropriate mechanism to achieve this reduction.

A. Human Health

Opponents of the Measure have suggested that human health will be endangered if the Measure passes. The Committee has unanimously concluded, however, that the trapping restrictions imposed by the Measure will have no adverse effect on human health or safety. The Measure specifically authorizes the State Health Division to issue permits to use leghold and snare traps where necessary to protect human health and safety.

While the Health Division may not receive as many carnivore blood samples as predator trapping is phased out under the Measure, this reduction should have little or no impact. The Division still could receive blood samples from the coyotes that are routinely killed by means other than trapping. In 1979, for example, 62 percent of the coyotes killed by A.D.C. were killed by means other than leghold or snare trapping.\(^4\) In addition, the present carnivore serology program for monitoring sylvan plague has only been underway in Oregon for three years. Prior to that time, the Division had monitored plague by live trapping the small rodents that carry plague, and by other means. It could return to those other means.

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4. See footnote 1 supra
The Division does not undertake any effort to control plague. Rather, it tries to educate the public concerning the risk presented by exposure to wild rodents. The plague monitoring program simply serves to indicate to the Division the areas in the state where its public education effort should be increased. There have been only five cases of human plague reported in Oregon since 1935. It is not a public health problem of any magnitude.

B. Predator Control

The impact of Measure 5 on the livestock industry is less clear. Alternatives to trapping to protect livestock are effective under some circumstances. In particular, field tests conducted in Oregon and elsewhere indicate that electric and barrier fences, guard dogs (such as Komondor and Great Pyrenees), taste aversion, and improved livestock-raising techniques (such as shed lambing, i.e., having ewes give birth to lambs in sheds rather than out in the open) can greatly reduce or eliminate losses to predators. These alternatives may be cost effective, as evidenced by the fact that some ranchers have adopted these techniques, notwithstanding the availability of free A.D.C. trapping.

In fact, use of these techniques, which keep coyotes away from the livestock rather than kill the coyotes, may actually reduce the coyote population. Coyotes apparently have the ability to regulate their reproductive capacity as their population fluctuates. If the population is reduced while available prey remains stable, female coyotes will conceive at an earlier age and produce larger litters in an attempt to increase their population to take advantage of the available prey. This is one reason why efforts to reduce coyote populations and maintain them at reduced levels have generally been unsuccessful.

Consequently, programs which keep coyotes from livestock (such as the nonlethal alternatives outlined above) and thereby reduce the coyote prey base, may cause a natural reduction in the coyote population. An experiment in Canada in which ranchers systematically removed animal carcasses and other sources of coyote food from their land indicated that coyote populations could be reduced through this method.

5. Dr. David deCalesta, an Associate Professor of Wildlife Ecology and Extension Wildlife Specialist at Oregon State University, testified to the Committee that he knew of no data suggesting that current trapping programs control the spread of animal diseases.

6. Taste aversion refers to a procedure whereby chemicals are used to discourage coyotes from killing and eating sheep. For example, small amounts of food wrapped in wool and injected with lithium chloride can be left out for coyotes to eat. The chemical induces vomiting when ingested by a coyote, thereby creating an unpleasant association between wool and food. Through repeated exposure to chemically treated wool, the coyote may lose whatever interest it had in killing and eating sheep.

7. For example, coyote populations have not significantly increased in Oregon since the federal government banned the use of 1080 and other poisons that were used to kill coyotes on a systematic basis.
C. Mountain Beaver Control

With regard to trapping of mountain beavers with body grip traps, the Committee was not given any reliable data concerning the financial cost of damage caused to Douglas Fir seedlings by mountain beavers. The damage caused by these animals is not nearly as great, however, as that caused by large animals such as deer. Proper clearing of land after clearcutting and logging can further reduce mountain beaver damage by reducing their habitat, as can practices which encourage mountain beaver predators such as birds of prey to move into an area.

Even with these techniques, mountain beavers apparently can present a problem in some areas. It costs approximately $35 to $60 per acre to trap these animals in their burrows with body grip traps. Traps of this kind are designed to kill animals caught in them quickly, rather than to hold the animals until the trapper returns. They can be set by experienced trappers to kill target animals fairly selectively. Although there is a non-lethal alternative available to protect Douglas fir seedlings from mountain beaver damage - biodegradable vexar tubes placed around the seedlings - this alternative costs approximately $250 to $300 per acre.

VI. MAJORITY CONCLUSIONS

Both proponents and opponents of the Measure raised highly emotional arguments in their appeals to your Committee. When the facts were in, however, the Majority of the Committee felt that those arguments presented by the opponents of the Measure were more compelling: 1) inconsistencies in the Measure; 2) the necessity of trapping as a means of predator control; 3) the reduction of animal suffering through mandatory trapping training; and 4) the cruelty to animals issue.

1. Inconsistencies in the Measure

The Measure imposes a complete ban on those body grip traps that might be used as a substitute for leghold traps in some instances. Yet mouse, rat, and gopher traps, which function in the same manner as body grip traps, are exempted from the Measure. Mole traps are not exempted, and homeowners wishing to trap these household garden invaders would be required to seek a trapping permit from the State Department of Agriculture.

2. Trapping as a Means of Predator Control

The Majority believes that although non-lethal alternatives to trapping to protect livestock show promise and that further development should be encouraged, trapping should continue to be made available. Because ranchers are not charged for trapping, trapping is the least expensive predator control technique available to them. Although the livestock and timber industries are already employing some of the alternative techniques, the Majority is convinced that they should not bear the entire financial burden of these experimental or costly alternatives. For these reasons, the Majority concludes that government should revise its subsidy programs to encourage the use of other techniques, but that trapping should remain as an alternative.
3. Mandatory Trapper Training

The Majority believes that a mandatory trapper-training program could better address some of the objections to trapping that have led to the proposed Measure. Training includes instruction in the setting of traps to assure a higher percentage of target animals being caught; training emphasizes the importance of regular trap inspections (so that any non-target animals caught can be released, and to allow the quick destruction of target animals); training provides needed instruction in the placement of traps in those habitats most frequented by target animals. Amateur trappers would then be instructed to follow specific guidelines and reporting techniques and more efficient humane trapping methods. Professional trappers endorse such a mandatory program.

4. Cruelty to Animals

The Majority was sympathetic to much of the humanitarian philosophy expressed by the proponents of the Measure. However, the Majority was unanimous in its view that the Measure sidesteps an important issue: predators destroy property and inflict pain and suffering on other animals. Regardless of the methods used to trap or capture them, predators are ultimately destroyed. It is no more cruel or inhumane to kill a predator through trapping than it is through other methods of killing, such as poisoning, shooting, or helicopter hunting. Therefore the Majority concludes that this Measure imposes an unreasonable prohibition on trapping, which today is the most effective means of protecting livestock.

VII. MAJORITY RECOMMENDATION

Based on the foregoing analysis, the majority of your Committee recommends a NO vote on Ballot Measure No. 5.

Respectfully submitted,

James L. Alleman
John Detjens
Tom Imeson
Michelle J. McKenna
Mary Reynolds
Sidney I. Spiegel

For the Majority
VIII. MINORITY CONCLUSIONS

It is important to emphasize at the outset that 95 percent of the animals reported trapped in Oregon in 1979 were trapped for their fur, not for animal damage control purposes (102,000 vs. 4500). While the impact of the Measure on damage control efforts must be considered, it should not overshadow the fact that traps are used in Oregon primarily to obtain fur.

With regard to predator control, the Minority believes that the five-year phase out of predator trapping provides an important incentive for ranchers to adopt alternatives to trapping. It may be appropriate to couple this phase out with subsidies to assist and further encourage ranchers to make the transition, but the goal of eliminating trapping should not be abandoned.

If the livestock industry concludes by the end of the five-year period that trapping still is needed as a control technique, it can ask the 1985 legislature to amend the law to permit predator trapping on a reduced scale. The industry would have the burden of establishing that it had vigorously pursued trapping alternatives, but that trapping still was necessary. In particular, it would have to demonstrate that M-44's (devices that kill coyotes with poison in a manner that is more selective and humane than trapping) and other techniques (such as calling coyotes with the sound of an injured animal and then shooting them) would not control the few coyotes that defeat the non-lethal control techniques.

The ban that the Measure would impose on the use of body grip traps to kill mountain beavers is more troublesome. Traps of this kind usually kill the animals quickly; they also can be fairly selective.

The Minority believes, however, that the data presented to the Committee are insufficient to establish whether the timber industry will be adversely affected by the ban. For example, because Douglas fir seedlings are susceptible to damage from mountain beavers during the first two to three years after the seedlings are planted, it may require more than one season of trapping to control the beavers, thereby increasing the per acre cost of trapping. Moreover, vexar tubing may prove more effective than trapping in protecting seedlings from mountain beavers and other small animals. Consequently, the higher initial cost of the tubing may be recovered later through greater timber yield.

There simply is not enough information to justify using the ban on trapping mountain beavers as a basis for opposing the entire Measure. Here again, if the timber industry can establish that there are no feasible alternatives available to control mountain beavers other than with body grip traps, it can ask the legislature for a specific exemption from the ban imposed by the Measure.

With regard to the Measure's impact on the fur-trapping industry, the Minority is not convinced that live box traps cannot be used to catch most furbearers. While the professional trapper who appeared before the Committee testified that some animals are wary of box traps, this problem appeared to be confined primarily to predators such as coyotes. Animals such as muskrat, beaver, nutria, raccoon, and opossum might readily be trapped by box traps. (Eighty percent of the 100,000 pelts obtained by trapping in Oregon in 1979-80 came from these five animals.) Live traps
may be more cumbersome to use, but that is not a sufficient reason to justify the continued use of leghold and snare traps. Even if Measure No. 5 substantially affects the fur trapping industry in Oregon, the economic impact in the state would be negligible; the average Oregon fur trapper received only $355 last year from trapping.

Finally, there is merit to the argument that killing animals for fur is less defensible than killing them for meat. Although the former is not far removed from the latter on a continuum that runs from opposition to killing all animals to a willingness to kill animals for no purpose, it still is sufficiently removed to be distinguishable to many people. Baby harp seals are killed quite humanely in Canada, but many oppose the killing nonetheless. Killing to obtain fur seems even less defensible when it is accomplished by cruel and inhumane means such as trapping with leghold and snare traps. No one seriously can dispute that trapping in this manner is inhumane when compared with the quick-kill or non-lethal alternatives available to catch or control wildlife. Trapper training cannot overcome the basic cruelty inherent in snare and leghold traps.

The Minority believes that Measure No. 5 represents an appropriate response to the concern for humane treatment of animals.

IX. MINORITY RECOMMENDATION

Based on the foregoing analysis, the Minority of your Committee recommends a YES vote on Ballot Measure No. 5.

Respectfully submitted,

Rex Armstrong, Chairman
Donna M. Dunbar

For the Minority

Approved for publication by the Research Board on September 23, 1980 and authorized by the Board of Governors for distribution to the membership for discussion and action on Wednesday, October 22, 1980.
APPENDIX A

PERSONS INTERVIEWED

Dr. David S. deCalesta, Associate Professor of Wildlife Ecology and Extension Wildlife Specialist, Oregon State University

James E. Griffin, Oregonians for Wildlife Conservation (an organization representing livestock, timber, and other interests that was formed to oppose Ballot Measure No. 5)

Charles Mock, professional trapper and President, Oregon Furtakers Association (opponent)

Joni J. O'Donahue, Campaign Coordinator, Oregonians Against Trapping (opponent)

Michael Piper, Chairman, Oregonians Against Trapping (proponent)

Sara Polenick, Pacific Northwest Representative, Defenders of Wildlife (proponent)

Dr. Leslie P. Williams, Jr., Public Health Veterinarian, Oregon State Health Division

APPENDIX B

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