

County of Grant

Resolution No. R-10-18

Whereas, commercial and recreational trapping of furbearing animals using hidden and unmarked steel-jaw leg hold and other body gripping animal traps is permitted on many of New Mexico's public lands, including on public lands within and surrounding Grant County and in the nearby Gila National Forest; and

Whereas, steel-jaw leg hold and other body-gripping animal traps are not particular about the age, sex or species of animal they capture, their use on public lands is a threat to and results in the unnecessary pain, suffering, maiming and killing of "non-target" animals, including domestic dogs, cats, rabbits, deer, eagles, owls, hawks and threatened and endangered species; and

Whereas, millions of people and numerous organizations, including the American Veterinarian Association, the American Animal Hospital Association, the World Veterinary Association and the National Animal Control Association have declared steel-jaw traps to be inhumane; and

Whereas, trappers are not required to mark the general or specific location of their hidden traps on any public lands that lie within Grant County and the State of New Mexico; and

Whereas, humans have suffered injuries and companion animals have been injured, maimed and killed by the hidden and unmarked steel-jaw leg hold traps in the Gila National Forest and on other public lands within Grant County; and

Whereas, tourism to Grant County and the region is of major economic benefit and concern to Grant County merchants and residents; and

Whereas, ending the use of steel-jaw leg hold and other body-gripping animal traps on New Mexico's public lands will benefit Grant County by eliminating a practice that takes away from the tourist-friendly environment of Grant County and our surrounding region, resulting in and even greater appreciation of the wondrous natural environment within Grant County and the surrounding public lands, and thereby creating a stronger County.

Now, therefore, be it resolved that the Grant County Board of Commissioners support the banning of animal trapping on New Mexico public lands through the use of steel-jaw leg hold traps, kill type traps, snare traps and any modified version of any such trap.

Be it further resolved that the Grant County Board of Commissioners adopt this resolution and encourage Congressman Harry Teague to support the Refuge from Cruel Trapping Act, H.R. 3710, which proposes to ban the use of steel-jaw leg hold traps, kill-type traps, snare traps and any modified version of any such traps in our National Wildlife Refuge System.

Approved and adopted on this 11th day of May 2010 in Silver City, Grant County, New Mexico by the Grant County Board of Commissioners.

Mary Ann Sedillo, Chairwoman

Christy Miller, Commissioner Dist. 3

Attest:

Jovita Gonzales, Commissioners Dist. 2

Robert Zamarripa, County Clerk



BOX 1188, SILVER CITY, NEW MEXICO 88062 • (505) 538-3731 • FAX (505) 538-5123

WALTER "SKI" SZYMANSKI
575-574-7415

WALT.SZYMANSKI@GMAIL.COM

March 10, 2010

John Amijo

Honorable Congressman Harry Teague
1007 Longworth HOB
Washington, D.C. 20515

Dear Congressman Teague:

I am writing on behalf of the Town Council of the Town of Silver City in support of the banning of animal trapping on New Mexico public lands through the use of steel-jaw traps, kill-type traps, snare traps, and any modified version of any such traps.

We have adopted Resolution No. 2010-10 (see attachment) and encourage you to support the Refuge from Cruel Trapping Act, H.R. 3710 which proposes to ban the use of steel-jaw traps, kill-type traps, snare traps, and any modified version of any such traps in our National Wildlife Refuge System.

Respectfully yours,

James R. Marshall

James R. Marshall
Mayor

Attachment: Town of Silver City Resolution No. 2010

Copy: Jim McClintic, N.M. State Game Commission
M. H. "Dutch" Salmon, N.M. Fish and Game Dept.
Walter S. Szymanski, Jr., Silver City resident

RESOLUTION NO. 2010-10

**SUPPORTING THE BANNING OF ANIMAL TRAPPING ON NEW MEXICO PUBLIC LANDS
THROUGH THE USE OF STEEL-JAW TRAPS, KILL-TYPE TRAPS, SNARE TRAPS,
AND ANY MODIFIED VERSION OF ANY SUCH TRAPS.**

WHEREAS, commercial and recreational trapping of furbearing animals using hidden and unmarked strangulation snares, steel-jaw and other body-gripping animal traps is permitted on many of New Mexico's public lands, including in the nearby Gila National Forest, the Ft. Bayard Game Refuge, and the Gila Wilderness; and

WHEREAS, strangulation snares, steel-jaw and other body-gripping animal traps are not particular about the age, sex or species they capture; their use on public lands results in the unnecessary pain, suffering, maiming and killing of untold numbers of "non-target" animals, including domestic dogs and cats, rabbits, deer, songbirds, eagles, owls, hawks, and all manner of threatened and endangered species; and

WHEREAS, millions of people and numerous organizations, including the American Veterinarian Association, the American Animal Hospital Association, the World Veterinary Association, and the National Animal Control Association, have declared steel-jaw traps to be inhumane; and

WHEREAS, trappers are not required to mark the location of their set traps in the nearby Gila National Forest, Ft. Bayard Game Refuge, nor on any other public lands that border the Town of Silver City; and

WHEREAS, humans have suffered injuries and companion animals have been injured, maimed and killed by hidden and unmarked steel-jaw traps in the Gila National Forest, and on other public lands that border the Town of Silver City; and

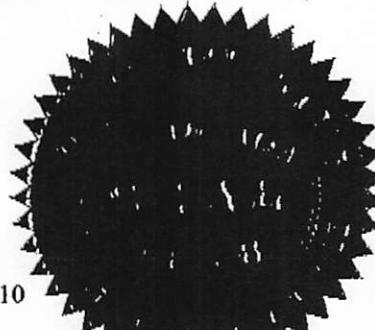
WHEREAS, tourism to the Gila National Forest and the Town is of major economic benefit and concern to the Town of Silver City and its merchants and residents; and

WHEREAS, ending the use of strangulation snares, steel-jaw, and other body-gripping animal traps on New Mexico's public lands will benefit the Town of Silver City by eliminating a practice that takes away from the tourist-friendly environment of our region and Town, resulting in an even greater appreciation of the wondrous natural environment that surrounds our Town and thereby creating a stronger Town;

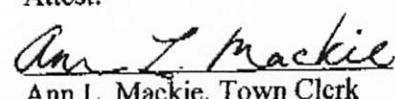
NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Silver City supports the banning of animal trapping on New Mexico public lands through the use of steel-jaw traps, kill-type traps, snare traps, and any modified version of any such traps.

BE IT FURTHER RESOLVED that the Town Council of the Town of Silver City adopts this resolution and encourages Congressman Harry Teague to support the Refuge from Cruel Trapping Act, H.R. 3710, which proposes to ban the use of steel-jaw traps, kill-type traps, snare traps, and any modified version of any such traps in our National Wildlife Refuge System.

PASSED, ADOPTED and APPROVED this 23rd day of February, 2010.




James R. Marshall, Mayor
Attest:


Ann L. Mackie, Town Clerk

111th CONGRESS

1st Session

H. R. 3710

To end the use of body-gripping traps in the National Wildlife Refuge System.

IN THE HOUSE OF REPRESENTATIVES

October 1, 2009

Mrs. Lowey (for herself, Mr. Van Hollen, Mr. Moran of Virginia, Ms. Lee of California, Mr. Lewis of Georgia, Mr. Sherman, Ms. Berkley, Mr. Rothman of New Jersey, Mr. George Miller of California, Mr. Farr, Mr. Blumenauer, Mr. Hinckley, Mr. Rangel, Mr. Frank of Massachusetts, Mr. Berman, Ms. DeLauro, Mr. Wexler, Mr. Grijalva, Mr. Stark, Mr. Johnson of Georgia, Mr. Conyers, Mrs. Maloney, Mr. Hare, Mr. Markey of Massachusetts, Mr. Holt, Ms. Woolsey, Mr. Crowley, Ms. Zoe Lofgren of California, Mrs. Capps, Mr. Pascrell, Mr. Moore of Kansas, Mr. Ackerman, Mr. Serrano, Ms. Baldwin, Ms. Schakowsky, and Mr. Wu) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To end the use of body-gripping traps in the National Wildlife Refuge System.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Refuge from Cruel Trapping Act”.

SEC. 2. POSSESSION OR USE OF BODY-GRIPPING TRAP PROHIBITED.

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) is amended by adding at the end the following:

“SEC. 6. POSSESSION OR USE OF BODY-GRIPPING TRAP PROHIBITED.

“(a) In General.—No person may possess or use a body-gripping trap in the System.

“(b) Enforcement Provisions.—Notwithstanding section 4(f), a person who possesses or uses a body-gripping trap in the System shall be subject to the following:

“(1) In the case of a first offense, a civil fine of not more than \$500 imposed by the Secretary for each body-gripping trap possessed or used.

“(2) In the case of a subsequent offense—

“(A) a civil fine of not more than \$1000 imposed by the Secretary for each body-gripping trap possessed or used;

“(B) imprisonment for not more than 180 days; or

“(C) both a civil fine and imprisonment in accordance with subparagraphs (A) and (B).

“(c) Forfeiture Of Body-Gripping Trap.—Any body-gripping trap that is possessed or used in violation of this section, and any wildlife captured by the use of such trap, including the pelt or raw fur, shall be subject to forfeiture to the United States in accordance with the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures.

“(d) Payment Of Court Costs And Other Associated Expenses.—A person found to be in violation of subsection (a) shall pay all court costs associated therewith.

“(e) Regulations.—Not later than 120 days after the date of the enactment of this section, the Secretary shall issue any regulations necessary to carry out this section.

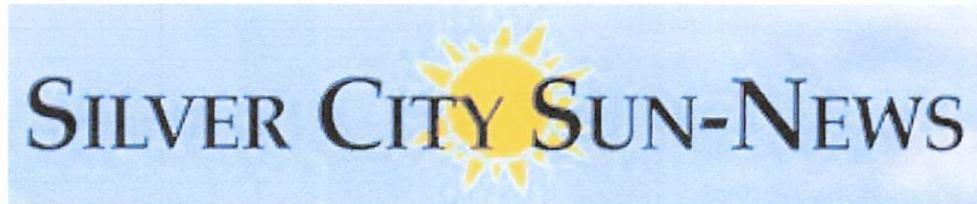
“(f) Definition.—As used in this section, the term ‘body-gripping trap’—

“(1) means any device that is intended to kill or capture wildlife by physically restraining any part of the animal;

“(2) includes any steel-jaw, padded, or other modified leghold trap, kill-type trap, snare trap, or any modified version of any such trap; and

“(3) does not include any cage or box trap or suitcase-type live beaver trap.”.

Town council supports ban on animal trapping on public lands



Silver City, New Mexico

By Terrance Vestal Sun-News reporter

Posted: 02/25/2010 04:44:45 AM MST

www.scsun-news.com/ci_14468152

SILVER CITY - The Silver City Town Council unanimously passed a resolution Tuesday calling for the ban of animal trapping on New Mexico public lands.

Silver City resident Walter "Ski" Szymanski brought the issue before the council, pointing out that trapping through the use of steel-jaw traps, kill-type traps, snare traps and modified versions of such traps is allowed on public lands and, by law, can be hidden and unmarked, which poses a danger to pets and those who recreate in these areas.

Even if an intended animal is caught, these traps cause unnecessary and inhumane injuries to animals, Szymanski said.

Szymanski said, according to the research he has done, hidden traps are permitted as close as one-quarter mile from an established public campground, roadside rest area or picnic area.

Councilor Steve May, who sponsored the proposed resolution, said if Silver City wanted to promote itself as an "eco tourist destination," the town would have to take a stand against trapping.

"The ranchers and farmers -- they can do what they want to on their private land, that's their business," May said. "The public lands are our business."

Mayor James Marshall and Councilor Simon Wheaton-Smith both said, at first glance, the issue didn't seem to have much to do with the town. But the economic angle caught their attention.

"We promote ourselves nationally and internationally to bring people here, we invite them here and this makes it dangerous for visitors," Marshall said.

Wheaton-Smith said he also took the issue of culling into account as he mulled over the trapping topic.

"And while there might be a need to cull, there is no need to do it in a cruel or an inhumane way," Wheaton-Smith said.

Councilor Cynthia Ann Bettison said she recalled a few years ago an incident that gained national attention after a Silver City man found an animal trapped on Bureau of Land Management land. She said the man killed the animal, thinking it was the most humane thing to do in the situation, and then the state Fish and Wildlife Department tried to claim he was tampering with traps.

Jene Moseley, a Grant County resident who lives just outside Silver City, said she has lost two dogs and two cats to traps and her neighbors have suffered similar incidents as well.

The resolution, which has no legal implications, passed unanimously.

Terrance Vestal can be reached at tvestal@scsun-news.com (575) 538-5893 ext. 5803.

NEW MEXICO'S HIDDEN and CRUEL TRAPS

FACT: Steel-jaw leghold traps, steel-wire strangulation and leg snares and other types of barbaric body-gripping animal traps are secreted all over the Gila National Forest and other public lands in New Mexico.

FACT: Family pets, as well as owls, hawks, eagles and threatened and endangered species, are regularly injured, maimed or die in traps.

Trapping in New Mexico is loosely regulated

- Trapping is permitted *all* year round.
- *No* limit on the number of traps that may be set or animals that may be taken.
- Signs warning the public of the specific or general location of traps set and hidden on public lands are *not* required.
- Setting traps *on or in the immediate vicinity of trails* that do *not* appear on a government map for the general public *is legal*.
- Hidden traps are permitted as close to one-quarter mile (*about a five-minute walk*) of an established public campground, roadside rest area or picnic area.
- Setting traps in public land areas that are home to river otters, Mexican gray wolves, black-footed ferrets and other threatened and endangered species *is legal*.
- Hidden traps are permitted as close to 25 yards (*about 30 steps*) of any official Forest Service or Bureau of Land Management system trail or the shoulder of any publicly-maintained road.
- Killing a trapped animal by stomping on its head and chest, or smashing it in the head with a pipe or bat -- methods commonly used by trappers -- *is legal*.

Hiding unmarked steel-jaw leghold and other cruel traps to capture an animal for the purpose of stripping the fur from its back and selling it to the highest fashion industry bidder has no place on lands available to public use in New Mexico.

Please call the Governor of New Mexico (505-476-2200) and the New Mexico Department of Game and Fish (505-476-8000) and tell them that you do not want steel-jaw leghold and other cruel traps on public lands within the state.

We are Grant County, New Mexico citizens working alongside others in the state to focus public attention on the fact that steel-jaw leghold traps, steel-wire snares and other barbaric body-gripping animal traps are secreted all over the Gila National Forest and other public lands in the state. We are hopeful this scrutiny will lead to trap-free public lands.

Summary of March 3, 2009 Grant County Sheriff's Offense Report Concerning Trapping Complaints

The following is a summary of the attached 11-page Grant County Sheriff's Offense Report, dated March 3, 2009, that details complaints from several area residents whose companion animals (dogs and cats both) have been injured or killed in steel-jaw leghold traps set on public lands immediately adjacent to the Town of Silver City.

Some excerpts from Corporal Michael Burns' narrative (which begins on page 7 of the report):

- "[M]any residents of the aforementioned subdivision (Oak Grove) have reported numerous incidents of pets (cats and dogs) being found both alive and dead in leghold traps near their homes. In addition, many traplines have been discovered on National Forest land in areas immediately adjacent to or near private property boundaries. Many such traps/traplines have been observed to be unmarked/unlabeled which indicates unlawful trapping activity being conducted by persons unknown as of the time of this narrative being written."
- "[M]any other reporting parties, victims and necessarily involved persons are included in this report as it has become apparent a disproportionate level of suspected unlawful trapping activities are occurring in the areas of public lands surrounding the Oak Grove subdivision."
- "This unlawful trapping activity has likely been occurring for several years prior to the current...."
- "[M]any reporting parties and victims are clearly asserting their belief that the aforementioned unlawful trapping activity is abridging their civil rights to access and use National Forest lands...."
- "I was first made aware of potential unlawful and unreasonably placed traplines in 2005. Jene Moseley reported her dog caught in a trap (injured, not killed). The dog "Banjo", a German Shepherd was missing for several days, then returned with a leghold trap on a front leg/paw. The trap was unmarked/unlabeled. The animal had apparently struggled and managed to pull the trap anchor and return to Moseley's residence."
- "Additional reporting parties to include Edwards/Ursula Spencer, Esperanza Quintero, Thomas Krohley, David/Dusty Muscato, Richard Muscato, Leslie Millner, Jeff Pralle, Annie George have all reported either their pets caught in leghold traps near their residences and/or discovery of suspected unlawful traplines while recreating in National Forest lands."

Corporal Burns' report also details (page 9) how Leslie Millner found her dog "Rufus" dead in a leghold trap. Rufus had been bludgeoned to death while he was caught in a leghold trap.

Please note, not all of the horrible experiences detailed by Corporal Burns in his report were caused by illegal trapping, although that is what his main focus was on as there isn't any issue police authorities can look into with traps that are legally set, hidden and unmarked in the Gila

National Forest.

Whether traps are set legally or not, they don't know the difference between a fox and a dog, cat, hawk, owl, river otter, black-footed ferret, Mexican gray wolf, or a jaguar -- all of which are caught in these barbaric devices.

Hiding unmarked steel-jaw leghold and other traps to capture an animal for the purpose of stripping the fur from its back to sell to the highest fashion industry bidder has no place on lands available to public use in New Mexico — and especially not on public lands adjacent to communities whose economic welfare is critically dependent upon non-consumptive ecological tourism.

For these and other reasons I urge you to support Resolution No. 2010-10.

Please feel welcome to contact me with any questions.

Thank you all very much for your time and consideration.

ate: 3/03/09
ime: 11:01:39

GRANT COUNTY SHERIFF'S OFFICE
Offense Report

Page: 1
Program: CMS301L

ase Number . : 2-09-000081 Occur From Date: 1/27/09 8:03
ccur To Date : 1/27/09 8:03 Day Of Week . : TUESDAY
ept Class . : ANIMAL COMPLAINTS Case Status . : Inactive
ase Status Dt : 2/13/09 Alcohol Related: Unknown
rug Related? : Unknown
ommon Name . : OAK GROVE SUBDIVISION AREA, U.S. FOREST ROAD 819 /
ity : GRANT COUNTY, NM 88061
ocation Type : FIELD/WOODS Report Officer : BURNS, MICHAEL
eport Date . : 1/27/09 8:03 Entry Date . . : BURNS, MICHAEL 1/27/09

***** ADDITIONAL TIMES *****
ase Number . : 2-09-000081 Dsptch Date/Tme: 1/27/09 8:03
rrive Date/Tme: 1/27/09 8:03 Clear Date/Time: 1/27/09 8:04

***** CASE MANAGEMENT INFORMATION *****
ase Number . : 2-09-000081 Dept Class . . : ANIMAL COMPLAINTS
ase Status . : Inactive Case Status Dt : 2/13/09

***** OFFENSE REPORT # 1 *****
ase Number . : 2-09-000081 State Classif. : NOT APPLICABLE
ederal Classif: OTHER CRIMINAL OFFENSES
ttmpt/Committ : COMMITTED
tatute/Ordince: 30-18-1 CRUELTY TO ANIMALS
heft/Computer?: No Weapon Type . : SHOTGUN
eapon Type . : BLUNT OBJECT Weapon Type . : OTHER
ow Entry Made : N/A Forced Entry? : No
vid Collected?: Yes Location Type : FIELD/WOODS
tate Dispo . : HANDLED WITHIN DEPT. UCR Disposition: OPEN
xcept Cleared : Not Applicable

***** OFFENSE REPORT # 2 *****
ase Number . : 2-09-000081 State Classif. : NOT APPLICABLE
ederal Classif: OTHER CRIMINAL OFFENSES
ttmpt/Committ : COMMITTED
tatute/Ordince: 30-20-1 DISORDERLY CONDUCT
heft/Computer?: No Weapon Type . : SHOTGUN
eapon Type . : BLUNT OBJECT Weapon Type . : OTHER
ow Entry Made : N/A Forced Entry? : No
vid Collected?: Yes Location Type : FIELD/WOODS
tate Dispo . : HANDLED WITHIN DEPT. UCR Disposition: OPEN
xcept Cleared : Not Applicable

***** OFFENSE REPORT # 3 *****
ase Number . : 2-09-000081 State Classif. : NOT APPLICABLE
ederal Classif: OTHER CRIMINAL OFFENSES
ttmpt/Committ : COMMITTED
tatute/Ordince: 17-5-4 TRAPPING REG VIOLATION
heft/Computer?: No Weapon Type . : SHOTGUN
eapon Type . : BLUNT OBJECT Weapon Type . : OTHER
ow Entry Made : N/A Forced Entry? : No
vid Collected?: Yes Location Type : FIELD/WOODS
tate Dispo . : REFERRED TO OTHER AUTHORITY
UCR Disposition: EXCEPTIONALLY CLEARED - ADULT
Dispo Date . . : 2/04/09 Except Cleared : Not Applicable

ate: 3/03/09
ime: 11:01:39

GRANT COUNTY SHERIFF'S OFFICE
Offense Report

Page: 2
Program: CMS301L

2-09-000081 (Continued)

arrest Case No.: 20-09-126431

***** PROPERTY INFORMATION # 1 *****
ase number . : 2-09-000081
ategory . . . : DESTROYED/DAMAGED/VANDALIZED
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
ake : "RUFUS" Model : MALE
olor : TAN Quantity/weight: 50 POUNDS
escription . : DOG-SHEP/SHARPEI MIX BREED
ondition . . . : DECEASED/KILLED Insured? . . . : No
amaged Code . : OTHER Recovered By . : LESLIE MILNER
cov Date/Time: 1/27/09 6:45
cov Location : U.S. NATIONAL FOREST LAND, U.S. FOREST ROAD 819
ity/State/Zip : GRANT COUNTY, NM 88061

***** PROPERTY INFORMATION # 2 *****
ase number . : 2-09-000081
ategory . . . : DESTROYED/DAMAGED/VANDALIZED
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
ake : "BEETHOVEN" Model : MALE
olor : TAN Quantity/weight: 60 POUNDS
escription . : DOG-SHARPEI MIX BREED Condition . . . : DECEASED/KILLED
covered By . : M.J. BURNS GCSO #28 Recov Date/Time: 1/28/09 10:00
cov Location : U.S. NATIONAL FOREST LAND, U.S. FOREST TRAIL 4089R
ity/State/Zip : GRANT COUNTY, NM 88061

***** PROPERTY INFORMATION # 3 *****
ase number . : 2-09-000081
ategory . . . : DESTROYED/DAMAGED/VANDALIZED
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
ake : "JESSE JAMES" Model : FEMALE
olor : WHITE Quantity/weight: 60 POUNDS
escription . : DOG-AMERICAN BOXER Condition . . . : DECEASED/KILLED
covered By . : M.J. BURNS GCSO #28 Recov Date/Time: 1/28/09 10:00
cov Location : U.S. NATIONAL FOREST LAND, FOREST TRAIL 4089R
ity/State/Zip : GRANT COUNTY, NM 88061

***** PROPERTY INFORMATION # 4 *****
ase number . : 2-09-000081 Category . . . : UNKNOWN
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
ake : "FRANCESCA" Model : FEMALE
olor : BLACK Quantity/weight: 40 POUNDS
escription . : DOG-GERMAN SHEPHERD Condition . . . : MISSING

***** PROPERTY INFORMATION # 5 *****
ase number . : 2-09-000081 Category . . . : UNKNOWN
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
ake : "PRINZ" Model : MALE
olor : BLACK Quantity/weight: 100 POUNDS
escription . : DOG-GERMAN SHEPHERD Condition . . . : INJURED/TRAP

***** PROPERTY INFORMATION # 6 *****

ate: 3/03/09
ime: 11:01:39

GRANT COUNTY SHERIFF'S OFFICE
Offense Report

Page: 3
Program: CMS301L

2-09-000081 (Continued)

Case number . . . : 2-09-000081
Category . . . : DESTROYED/DAMAGED/VANDALIZED
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
Name : "MUFFIN" Model : FEMALE
Color : BLACK Quantity/weight: 25 POUNDS
Description . . . : DOG-TERIER MIX BREED Condition . . . : INJURED/TRAP

***** PROPERTY INFORMATION # 7 *****
Case number . . . : 2-09-000081
Category . . . : DESTROYED/DAMAGED/VANDALIZED
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
Name : "IVY" Model : FEMALE
Color : TAN Quantity/weight: 50 POUNDS
Description . . . : DOG-GOLDEN LAB MIX BREED
Condition . . . : INJURED/TRAP

***** PROPERTY INFORMATION # 8 *****
Case number . . . : 2-09-000081
Category . . . : DESTROYED/DAMAGED/VANDALIZED
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
Name : "BUDDY" Color : WHITE
Quantity/weight: 20 POUNDS Description . . . : DOG-TERIER MIX BREED
Condition . . . : MISSING

***** PROPERTY INFORMATION # 9 *****
Case number . . . : 2-09-000081
Category . . . : DESTROYED/DAMAGED/VANDALIZED
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
Name : "FRANK" Color : BROWN
Quantity/weight: 50 POUNDS Description . . . : DOG-PLOTT HOUND
Condition . . . : INJURED/TRAP

***** PROPERTY INFORMATION # 10 *****
Case number . . . : 2-09-000081
Category . . . : DESTROYED/DAMAGED/VANDALIZED
CR Prop Type : MISCELLANEOUS Property type : Miscellaneous
Name : "BANJO" Color : TAN
Quantity/weight: 35 POUNDS Description . . . : DOG-GERMAN SHEPHERD
Condition . . . : INJURED/TRAP

***** PERSON REPORTING INFO - # 1 *****
Case Number . . . : 2-09-000081 Name : MOSELEY, JENE
Address : 10 BAR SIX DR.
City/State/Zip : SILVER CITY, NM 88061
Home Phone No. : 575/535-4374 Other Phone No.: 575/313-3571
Birth Date/Age : 9/20/1938 70 Oper Lic Info : 036501596 NM
Occupation . . . : RETIRED Marital Status : Unknown
Adult/Juvenile : ADULT Status : OTHER
Race : WHITE Sex : FEMALE
Ethnic Origin : NONHISPANIC Height : 504
Weight : 135

***** SUSPECT / ARRESTEE INFORMATION - # 1 **

ate: 3/03/09
ime: 11:01:39

GRANT COUNTY SHERIFF'S OFFICE
Offense Report

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Program: CMS301L

2-09-000081 (Continued)

ase Number . . . : 2-09-000081
ddress . . . : 55 BOW HUNTER DR.
ity/State/Zip : CAMDENON, MO 65020
ome Phone No. : 573/000-0000
ther Phone No.: 573/480-7879
aximum Age . . : 56
L Expires . . . : 12/29/13
arital Status : Unknown
tatus : SUSPECT
ex : MALE
inimum Height : 600
ye Color . . . : Green

Name : BARCLAY, GARY
Business Phone : 573/000-0000
Birth Date/Age : 12/29/1952 56
Oper Lic Info : S056013033 MO
Occupation . . : CABLE SPLICER/TRAPPER
Adult/Juvenile : ADULT
Race : WHITE
Ethnic Origin : NONHISPANIC
Minimum Weight : 215

***** W I T N E S S I N F O R M A T I O N - # 1 *****

ase Number . . . : 2-09-000081
ame : OGHACHRUIITHNE, EOCHAIDH M.
ddress : 1325 ANIMAS ST. 136
ity/State/Zip : LORDSBURG, NM 88045
ome Phone No. : 575/542-3535
ther Phone No.: 505/000-0000
oc Sec Number : 469625050
dult/Juvenile : ADULT
ace : WHITE

Business Phone : 505/000-0000
Birth Date/Age : 2/24/1954 54
Occupation . . : UNKNOWN
Status : OTHER
Sex : MALE

***** W I T N E S S I N F O R M A T I O N - # 2 *****

ase Number . . . : 2-09-000081
ddress : 566 N. TELSHOR BLVD
ity/State/Zip : LAS CRUCES, NM 88011
ome Phone No. : 575/000-0000
ther Phone No.: 575/538-8303
ccupation . . : NMDGF GAME WARDEN SUPERVISOR
dult/Juvenile : ADULT
ace : WHITE

Name : REDMAN, LEON
Business Phone : 575/522-9796
Status : OTHER
Sex : MALE

***** V I C T I M I N F O R M A T I O N - # 1 *****

ase Number . . . : 2-09-000081
ddress : 34 HEART CROSS DR.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 575/535-4453
irth Date/Age : 3/14/1961 47
esidency Stats: Full year
per Lic Info : 040120882 NM
ccupation . . : MEDICAL/MENTAL HEALTH
dult/Juvenile : ADULT
ace : WHITE
thnic Origin : NONHISPANIC
ile Charges? : Yes

Name : MILLNER, LESLIE
Business Phone : 575/574-4609
Residency Type : RESIDENT
Soc Sec Number : 212527527
OL Expires . . : 4/14/11
Marital Status : Unknown
Status : OTHER
Sex : FEMALE
Victim Type . . : ADULTS
Can Identify? : No

***** V I C T I M I N F O R M A T I O N - # 2 *****

ase Number . . . : 2-09-000081
ddress : 443 REDROCK RD.
ity/State/Zip : SILVER CITY, NM 88061

Name : MANEY, MICHAEL L.

ate: 3/03/09
ime: 11:01:39

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ounty : GRANT
usiness Phone : 505/000-0000
irth Date/Age : 9/02/1970 38
esidency Stats: Full year
per Lic Info : 053590098 NM
ccupation . . : MINING/UNEMPLOYED
dult/Juvenile : ADULT
ace : WHITE
thnic Origin : NONHISPANIC
eight : 170
ictim Type . . : ADULTS
an Identify? : No

2-09-000081 (Continued)
Home Phone No. : 575/535-4056
Other Phone No.: 505/000-0000
Residency Type : RESIDENT
Soc Sec Number : 525414801
OL Expires . . : 10/02/15
Marital Status : Married
Status : OTHER
Sex : MALE
Height : 511
Eye Color . . . : Hazel
File Charges? : Yes

***** O T H E R P E R S O N
ase Number . . : 2-09-000081
ame : SPENCER, URSULA
ddress : 2 TURKEY TRACK DR.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 505/535-4061
oc Sec Number : 468683947
dult/Juvenile : ADULT
ex : FEMALE

I N F O R M A T I O N - # 1 *****
Person Type . . : * OTHER PERSON *

Birth Date/Age : 11/12/1943 65
Occupation . . : RETIRED
Race : WHITE

***** O T H E R P E R S O N
ase Number . . : 2-09-000081
ame : MUSCATO, DAVID
ddress : 47 Rafter D DR.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 505/469-4128
oc Sec Number : 69626428
dult/Juvenile : ADULT
ex : MALE

I N F O R M A T I O N - # 2 *****
Person Type . . : * OTHER PERSON *

Birth Date/Age : 6/22/1968 40
Occupation . . : CONTRACTOR
Race : WHITE

***** O T H E R P E R S O N
ase Number . . : 2-09-000081
ame : MUSCATO, RICHARD
ddress : 51 Rafter D DR.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 575/535-2484
ccupation . . : RETIRED
ace : WHITE

I N F O R M A T I O N - # 3 *****
Person Type . . : * OTHER PERSON *

Birth Date/Age : 9/29/1941 67
Adult/Juvenile : ADULT
Sex : MALE

***** O T H E R P E R S O N
ase Number . . : 2-09-000081
ame : HOWARD, BUDDY
ddress : 3050 S. COUGAR WY.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 505/000-0000
ther Phone No.: 505/000-0000
dult/Juvenile : ADULT
ex : MALE

I N F O R M A T I O N - # 4 *****
Person Type . . : * OTHER PERSON *

Business Phone : 505/538-9261
Occupation . . : ANIMAL CONTROL OFFICER
Race : WHITE

***** O T H E R P E R S O N

I N F O R M A T I O N - # 5 *****

ate: 3/03/09
ime: 11:01:39

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ase Number . . : 2-09-000081
usiness Name : HIGH DESERT HUMANE SOCIETY
ddress : 3050 S. COUGAR WY.
ity/State/Zip : SILVER CITY, NM 88061
hone Number . : 575/538-9261 Other Phone No.: 505/000-0000

***** O T H E R P E R S O N I N F O R M A T I O N - # 6 *****
ase Number . . : 2-09-000081 Person Type . . : * OTHER PERSON *
ame : ALLRED, G. CLAY
ddress : 11865 E. U.S. HIGHWAY 180
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 575/000-0000 Business Phone : 575/388-1993
ther Phone No.: 575/000-0000 Occupation . . : VETRINARIAN
dult/Juvenile : ADULT Race : WHITE
ex : MALE

***** O T H E R P E R S O N I N F O R M A T I O N - # 7 *****
ase Number . . : 2-09-000081
usiness Name : ARENAS VALLEY ANIMAL CLINIC
ddress : 11865 E. U.S. HIGHWAY 180
ity/State/Zip : ARENAS VALLEY, NM 88022
hone Number . : 575/388-1993

***** O T H E R P E R S O N I N F O R M A T I O N - # 8 *****
ase Number . . : 2-09-000081
usiness Name : NEW MEXICO DEPT OF GAME & FISH
ddress : 566 N. TELSHOR BLVD
ity/State/Zip : LAS CRUCES, NM 88011
hone Number . : 575/522-9796 Other Phone No.: 505/000-0000

***** O T H E R P E R S O N I N F O R M A T I O N - # 9 *****
ase Number . . : 2-09-000081 Person Type . . : * OTHER PERSON *
ame : BURNS, M.J.
ddress : P.O. BOX 14
ity/State/Zip : CLIFF, NM 88028
ome Phone No. : 505/535-4276 Business Phone : 575/388-3741
ther Phone No.: 575/000-0000 Occupation . . : LAW ENFORCEMENT
dult/Juvenile : ADULT Race : WHITE
ex : MALE

***** O T H E R P E R S O N I N F O R M A T I O N - # 10 *****
ase Number . . : 2-09-000081 Person Type . . : * OTHER PERSON *
ame : KROHLEY, THOMAS
ddress : 27 HEART CROSS DR.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 575/535-4006 Birth Date/Age : 10/18/1944 64
ccupation . . . : SELF-EMPLOYED Adult/Juvenile : ADULT
ace : WHITE Sex : MALE

***** O T H E R P E R S O N I N F O R M A T I O N - # 11 *****
ase Number . . : 2-09-000081 Person Type . . : * OTHER PERSON *
ame : QUINTERO, ESPERANZA

ate: 3/03/09
ime: 11:01:39

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ddress . . . : 27 HEART CROSS DR.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 575/535-4006
ther Phone No.: 505/000-0000
ccupation . . : UNKNOWN
ace : WHITE

Business Phone : 505/000-0000
Birth Date/Age : 6/26/1956 52
Adult/Juvenile : ADULT
Sex : FEMALE

***** O T H E R P E R S O N
ase Number . : 2-09-000081
ame : PRALLE, JEFFREY
ddress : 65 T BAR T DR.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 575/535-2326
ther Phone No.: 505/000-0000
ccupation . . : UNKNOWN
ace : WHITE

I N F O R M A T I O N - # 12 *****
Person Type . : * OTHER PERSON *

***** O T H E R P E R S O N
ase Number . : 2-09-000081
ame : GEORGE, ANNE
ddress : 36 H BAR M RD.
ity/State/Zip : SILVER CITY, NM 88061
ome Phone No. : 505/535-2278
ther Phone No.: 505/000-0000
oc Sec Number : 526803433
dult/Juvenile : ADULT
ex : FEMALE

I N F O R M A T I O N - # 13 *****
Person Type . : * OTHER PERSON *

Business Phone : 505/000-0000
Birth Date/Age : 8/17/1948 60
Occupation . . : SADDLEMAKER
Race : WHITE

***** N A R R A T I V E # 2 *****

Call#: 090270041
Units.: 28 Employees: 0000004554 BURNS, MICHAEL
REF ANIMAL CRUELTY

***** N A R R A T I V E # 3 *****
RIGINAL REPORT NARRATIVE Entered By.: BURNS, MICHAEL J.

2/06/09

On 01/26/09 at approximately 1830 Hrs., I Cpl. M.J. Burns was contacted by Oak Grove resident and reporting party Jene Moseley in regards to another subdivision resident whose dog had disappeared while being walked on National Forest land adjacent to the subdivision. Moseley stated the dog owner to be Leslie Millner.

Please note many residents of the aforementioned subdivision have reported numerous incidents of pets (cats and dogs) being found both alive and dead in leghold traps near their homes. In addition, many traplines have been discovered on National Forest land in areas immediately adjacent to or near private property boundaries. Many such traps/traplines have been observed to be unmarked/unlabeled which indicates unlawful trapping activity being conducted by persons unknown as of the time of this narrative being written. Although the above-stated incident (Millner) has led to a formal

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investigation/reporting by both the New Mexico Department of Game & Fish and the Grant County Sheriff's Department, many other reporting parties, victims and necessarily involved persons are included in this report as it has become apparent a disproportionate level of suspected unlawful trapping activities are occurring in the areas of public lands surrounding the Oak Grove subdivision. This unlawful trapping activity has likely been occurring for several years prior to the current, as will be stated in the following narrative(s). Additionally, many reporting parties and victims are clearly asserting their belief that the aforementioned unlawful trapping activity is abridging their civil rights to access and use National Forest lands stated as being multiple-use in scope. All have stated their desire for all government agencies with any viable jurisdiction to investigate and enforce both applicable criminal law and civil law in regards to exercising their rights while on public lands without fear of injury to their pets/property.

Oak Grove Subdivision: This subdivision is located in unincorporated Grant County (NM.), surrounded by National Forest lands in a rural setting. The subdivision is at least twenty years established with approximately twenty-five to forty residents. The subdivision boundaries adjoin National Forest lands with at least five or more designated access points for both vehicular and equestrian/foot traffic. Many residents whose private property directly adjoins National Forest have access along their fencelines. The subdivision is easily recognized from the main Forest/County Road (F.R. 851/Redrock Rd.) as well as from the network of private non-county maintained roads throughout the area. Homes are plainly visible as is vehicular, equestrian and foot traffic.

I was first made aware of potential unlawful and unreasonably placed traplines in 2005. Jene Moseley reported her dog caught in a trap (injured, not killed). The dog "Banjo", a German Shepherd was missing for several days, then returned with a leghold trap on a front leg/paw. The trap was unmarked/unlabeled. The animal had apparently struggled and managed to pull the trap anchor and return to Moseley's residence. During the period 2005 to present, Moseley has reported locating numerous traps/traplines (unmarked/unlabeled) in CF Canyon (located along the subdivision northeast boundary), along Forest Road 819 in the Mill/Maverick Canyon area, along the subdivision east boundary and along the (unnamed) canyon located immediately south of Redrock Rd. east of the subdivision. These comprise the primary areas multiple dogs and cats have been trapped, injured (or killed) and have disappeared.

Additional reporting parties to include Edward/Ursula Spencer, Esperanza Quintero, Thomas Krohley, David/Dusty Muscato, Richard-Muscato, Leslie Millner, Jeff Pralle, Annie George have all reported either their pets caught in leghold traps near their residences and/or discovery of suspected unlawful traplines while recreating in National Forest lands.

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Please refer to individual statements provided by reporting parties in regards to their pets caught and injured or killed in traps or disappearances of pets suspected to have been caught in traps and believed killed by the trapper.

Regarding Leslie Millner, the following information was provided: She currently resides on Heart Cross Dr. in the Oak Grove subdivision. She regularly walks with her dogs "Frank" and "Rufus" into adjacent National Forest. On 01/26/09 she allowed her neighbors Thomas Krohley and Esperanza Quintero to take her dogs with them. Upon their return without the dogs, she, Krohley and Quintero searched the area along Forest Road 819 to the southeast of the subdivision that evening until approximately 0000 Hrs for "Rufus" who had not returned by nightfall. While searching the area, "Frank" became caught in a leghold trap. The dog was freed and Millner immediately contacted Game Warden L. Redman. Please refer to Redman's report (NMGF #2009-126.43.1) for all information regarding the retrieval of the trap, identification of the trapper and resultant enforcement activity. Redman responded to the area that evening and the following morning in an attempt to locate the trapper (subsequently identified as Gary Barclay of Camdenton, MO.). Millner returned to the area at daybreak on 01/27/09 to resume the search. At approximately 0645 Hrs. she located "Rufus", caught in a leghold trap, dead. Millner was able to locate Redman, who recovered the trap. The dog was taken to Arenas Valley Animal Clinic pending necropsy (please refer to Redman's report and veterinary records for apparent cause of death). Millner stated "Rufus" to have been bludgeoned to death with plainly visible head injury. Millner was emotionally distraught and stated this dog to have been subjected to unnecessary suffering and death due to leghold trapping in an area obviously too close to a residential subdivision and in an area frequently used by equestrians, hikers, people walking with their dogs. Millner clearly communicated her desire this matter be fully investigated and any necessary enforcement action(s) be pursued. The cost of veterinary services and her personal property loss was not specified.

On 01/28/09 at approximately 0800 Hrs. I was notified by Animal Medical Clinic employee Nancy Trinkle of a telephone call she received on 01/24/09 in regards to a hiker finding two dead dogs in the area of Forest Ridge, west of the Oak Grove Subdivision. The caller removed the collars and notified the veterinary clinic due to the tags being labeled. The caller, "Yoki" was identified as Eochaaidh Oghachruithne of Lordsburg (NM.). Trinkle was able to identify the owner of the two dogs from clinic records as being Michael Maney. Upon contacting Maney (who resides in the Oak Grove subdivision) and notifying him of the dogs being found, he provided the following information:

The dogs had been contained in a fenced run adjacent to his home. He believed his young son had accidentally loosed them. They had been missing for several days or more. Maney stated both to have never strayed more than several hundred yards from the residence.

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There was no known reason for them to have been found in the Forest Ridge area unless taken there (post-mortem) and dumped. Maney stated he would meet with me and positively identify the dogs.

On 01/28/09 at approximately 1100 Hrs. I contacted "Yoki" by telephone. He provided the following information:

The previous Saturday (01/24/09) he had been walking in the area of Forest Road 852 (Forest Ridge Rd.) and Forest Trail 4089R when he observed two dead dogs lying side-by-side just off the trail. Upon closer observation, he saw what appeared to be a shotgun blast wound on one. Both had collars with license tags, which he removed and took back to his residence where he contacted the veterinarian stamped on the tags.

On 01/30/09 at approximately 0945 Hrs. I met "Yoki", Maney and Grant County Animal Control Officer B. Howard at the intersection of Forest Road 852 and Forest Trail 4089R. We were shown where the dogs lay, approximately twenty yards east of F.R. 852, just south of F.T 4089R. The dogs, a Sharpei mix breed and an American Boxer were placed side-by-side. The Sharpei had a clearly visible wound pattern on its left side shoulder area, indicating a shotgun blast and buckshot penetration. The Boxer had a puncture wound on its right side chest area near the leg attachment. I also observed what may have been a leghold trap mark on its right front paw/foreleg. The dogs were taken by Howard to Arenas Valley Animal Clinic for necropsy. "Yoki" provided me with the two recovered collars which were photographed and placed into secure evidence storage. Maney was immediately able to identify the dogs as "Beethoven" (Sharpei mix) and "Jesse James" (Boxer), belonging to his family. Maney expressed dismay at the killing of his pets and the distress both his wife and children experienced as a result of their disappearance and ultimate deaths. He stated his desire for all necessary enforcement if a suspect was developed and identified as being responsible.

On 02/04/09 at approximately 1000 Hrs. I contacted trapper Gary-Barclay at his temporary residence located at the I-10 Motel in Lordsburg. He agreed to speak with me in regards to the dog found dead in his trap near the Oak Grove subdivision. He provided the following information:

He currently resides in Camdenton, MO. and has been in New Mexico for approximately one month with his son (Seth Barclay) conducting trapping activities on both public-and-private lands in Grant and Hidalgo Counties. Seth returned to Missouri prior to the (Millner's) dog being caught/killed in his trap. Barclay stated he was not aware he was endangering pets by placing traps in the proximity of the (Oak Grove) subdivision, adding he believed they had been placed far enough distant and in compliance with (NM.) state regulations. Barclay denied knowledge of the dog caught and subsequently killed in his trap until notified of such by the Game Warden (Redman). He denied any knowledge or role in killing the dog. He claimed he simply would have released the dog if discovered

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alive in his trap. Barclay stated he "Pulled all his traplines" and was leaving New Mexico immediately.

Based on information provided by both Redman and Barclay, the obvious presence of unmarked/unlabeled traps in the area for successive years, a second suspect trapper is believed to be conducting unlawful activities in the vicinity and may be a viable suspect in the deaths, injury and disappearances of many pets of area residents.

At the present time, concerns exist due to very highly emotionally distraught and angry area residents actively seeking to confront this as-yet unidentified unlawful trapper. All have been advised to restrain their response if the person(s) are seen and to immediately report suspicious activities to either NMDGF or the Sheriff's Department for law enforcement follow up.

This report will be forwarded to the following agencies for their review:

1. Sixth Judicial District Attorney's Office
2. New Mexico Attorney General's Office (Animal Cruelty Task Force)
3. New Mexico Department of Game & Fish
4. U.S. Forest Service, Silver City Ranger District Office
5. U.S. Bureau of Land Management, LEO K. Schmidt/Las Cruces Office

This matter remains under active investigation...

There is no further information currently available regarding this matter.

SILVER CITY SUN-NEWS

Officials forced to kill trapped bobcat
By Thomas J. Baird SUN-NEWS BUREAU CHIEF
Dec 15, 2005, 06:00 am

A young adult bobcat, which was discovered by residents on Johnson Road in a leg-hold trap Tuesday, had to be killed by officers with the Game and Fish Department due to the extent of its injuries.

"We ended up having to put that one down," said Jon Armijo, one of three Game and Fish officers to investigate the case. "We took it to Dennis Miller, but its foot was almost completely cut off. It's unfortunate."

Miller is a biology professor at Western New Mexico University who has operated the Gila Wildlife Rescue rehabilitation center with his wife, Denise, for the past 25 years. The facility is one of only two in the state licensed to handle all wildlife species.

Miller said Wednesday that homeowner Wade Holliday had notified him that the animal was caught in a trap on the four-acre residential property where he lives. Holliday also notified Game and Fish and other agencies.

"We work with Game and Fish, so I called them before I went out and they said they'd need to investigate," Miller said. "I went out and looked at the bobcat, but there was nothing I could do until they came out."

Although the incident was reported in the morning, Game and Fish officials were unable to reach the home until late afternoon. One local officer was on vacation, while Armijo and his supervisor from Las Cruces were conducting an aerial surveillance operation.

The agency eventually dispatched an officer from Deming and Armijo and his supervisor joined the case when they landed their aircraft.

"We have a good working relationship with them," said Miller. "They did the right thing to have us help them determine whether the animal could have been rehabilitated."

Unfortunately for the spotted cat, Miller determined the severity of the injury would not allow the animal to be rehabilitated and returned to the wild.

"At first, I thought it had just been grabbed by the toes, but when they brought it in, the whole foot had been caught," Miller said. "It was a much larger trap than I thought in the first place. The paw was pretty close to severed and the bone was broken. The animal would not have survived and I gave them my assessment the animal should be put down."

Miller explained that unlike a canine predator, such as a wolf, big cats not only need their front paws for chasing prey, but for capturing prey.

"A cat is a much different animal," Miller said. "The paw is a tool to kill with, and they need to be able to sprint quickly to catch their prey. In the wild, it probably would have died a slow starvation death."

Armijo said the trap was not legal and he is still investigating the case. Misdemeanor penalties for illegal trapping include fines ranging from \$50 to \$500 per offense. Although it is legal for people with a fur-bearer's license and a trapping license to trap for bobcat from Oct. 15 to March 15, the trap in question did not contain the proper tags.

"It didn't have any ID on it, it was an illegal trap," Armijo said. "We looked all over the place, but (the animal) could have come in from anywhere. And there's no telling how long that poor guy had been there."

Armijo speculated that the bobcat may have been walking down the paved street, dragging the trap, and was spooked by a car. It could have darted for Holliday's driveway, where the anchor of the trap snagged on a chain in the yard. After becoming entangled in the chain, neighbors reported the bobcat screaming.

Armijo said there is little to go on, but he will check with neighbors to see if there are any leads as to where the animal came from -- which could help determine where more traps might be.

Jon Schwedler of Animal Protection of New Mexico was disappointed Wednesday when learning of the animal's fate.

"Unfortunately, that's what a lot of animals are facing," he said. "It's too bad that what's happening here is also happening on public lands. This time, we could see it because it was in somebody's back yard."

Michael Robinson, carnivore conservation coordinator for the Center for Biological Diversity in Pinos Altos and the author of a newly released book chronicling the history of wolves in the West, was saddened Wednesday by the news of the cat's demise.

"That points to some larger issues," he said. "It's a very poorly regulated activity and they don't keep track of non-target animal deaths. Unlike a rifle hunter, who knows what he's shooting at, a trapper doesn't know what's going to step in the trap."

Robinson fears the bobcat population could be widely impacted by trapping.

"Nobody knows how much unlicensed trapping is going on, and unless instances like this come to public light, nobody knows how many animals are being wasted this way," he added. "This is just the tip of the iceberg, and we don't know how big the iceberg is."



New Mexico Big Game and Trapper Rules & Information

Deer

Elk

**Pronghorn
Antelope**

Ibex

Oryx

Javelina

**Bighorn
Sheep**

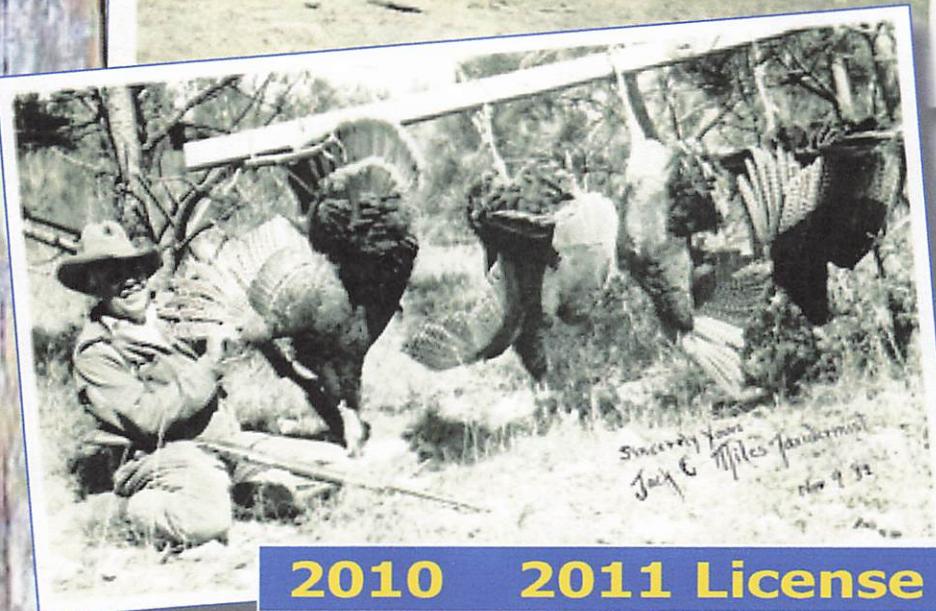
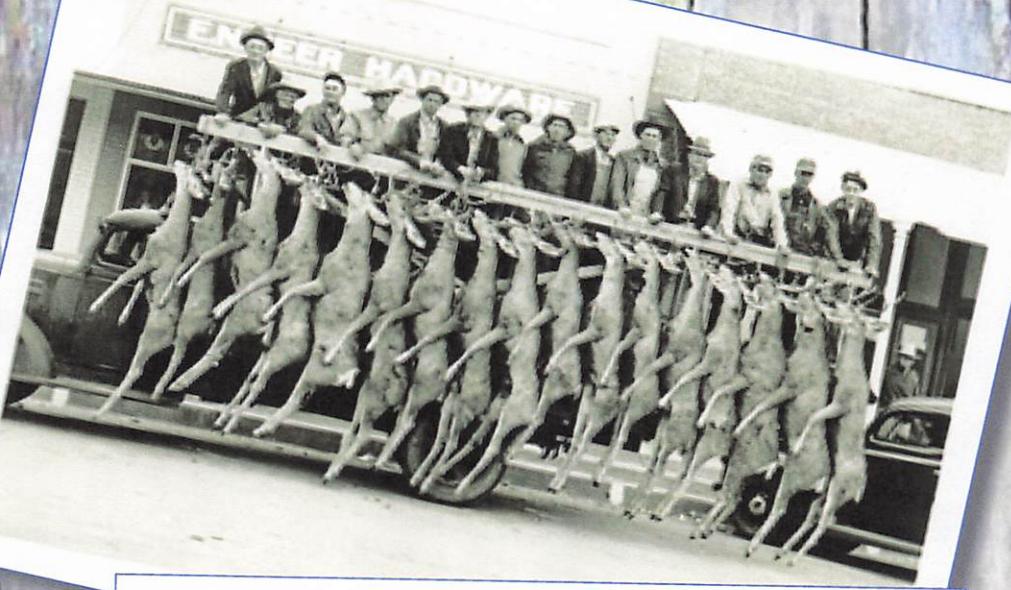
**Barbary
Sheep**

Bear

Cougar

Turkey

Furbearers



2010 2011 License Year

Visit Our Web Site: www.wildlife.state.nm.us

Furbearers

Licenses

All trappers, both resident and nonresident, MUST purchase their trapper license from a Department office or from the Department's Web site at: www.wildlife.state.nm.us or via Form 3. Trappers who do not report their trapping results by the deadline of April 7, may not purchase a trapper license for the 2010-2011 season.

Residents ages 12 to 17 who hunt or trap protected furbearers must purchase a Junior Trapper License. Residents age 18 or older who hunt or trap protected furbearers must buy a Trapper License. Residents need no license to take unprotected furbearers. See **Unprotected Furbearers** below. Trappers must permanently mark their traps and snares with the trapper's name and address or have a Trapper ID number, which is provided free by the Department. There is no closed season or bag limit on unprotected furbearers or unprotected species.

Nonresidents who trap protected or unprotected furbearers in New Mexico must have a nonresident Trapper license. Trappers must permanently mark their traps and snares with the trapper's name and address or have a Trapper ID number, which is provided free by the Department. Nonresidents who hold a nonresident nongame license or any current New Mexico nonresident hunting license may use firearms or bows to hunt for or kill coyote, rabbit, prairie dog or skunk, but may not set traps or snares unless they also have a nonresident Trapper license. Nonresidents should call any Department office for licenses.

License Fees

Resident	\$20.00	Nonresident	\$345.00
Nonresident Trapper licenses are NOT available to those who live in a state that does not permit a New Mexico resident to purchase a nonresident trapper's license. For more information, call any Department office.			

Junior Trapper	Resident	Nonresident
(Residents age 12-17)	\$9.00	Not Issued

Habitat Stamps are required for hunting, fishing, and trapping on U.S. Forest Service and BLM lands and must be purchased separately. A Habitat Management and Access Validation must be purchased separately.

Bag Limit

There is no bag limit on any furbearer or unprotected species.

Protected Furbearers

Protected furbearers that may be taken during open season are raccoon, badger, weasel, fox, ringtail, bobcat, muskrat, beaver and nutria. There are other protected furbearers, but their take is prohibited. These include, but are not limited to pine marten, river otter, black-footed ferret, and coatiundi.

Unprotected Furbearers

Unprotected furbearers are coyote and skunk.

Legal Means of Harvest

Furbearers may be taken with dogs, firearms, bows and arrows, and traps and snares. Calls, including mechanically or electrically recorded calling devices, are legal in hunting protected furbearers. Dogs may be used to take protected furbearers only during open trapping season. There is no "pursuit or training season" outside the regular open season.

Trap Inspection

A licensed trapper or his representative (agent) must make a visual inspection of each trap every 24 hours. All traps must be personally checked by the trapper every other calendar day and all wildlife removed. A release device or catchpole shall be carried to release domestic animals, nontarget or undesirable animals. If wildlife is held captive in the trap, the trapper or agent(s) must remove the wildlife. Each trapper will be allowed one or more agent(s), who must possess written permission from the trapper and a valid Trapper license. The permission must include the trapper's full name, address, Trapper license number, Trapper ID number and general location or route of traps.

Trap Identification

The following restrictions apply in the setting of any trap or snare that could reasonably be expected to catch a protected furbearer. Each trap or snare used to take furbearers must be permanently marked with either the user's name and address or have a Trapper ID number that is issued only by the Department. To get a free Trapper ID number, call the Department at (505) 476-8038. The identification number or name and address must be stamped on the bottom of the frame or included on a metal tag riveted, welded, or otherwise securely attached to the trap frame, chain or cable.

Land Sets

A land-set trap is a trap or snare set on land. No foot hold trap with an outside jaw spread larger than 6 1/2 inches (or 7 inches if laminated) and no tooth-jawed trap may be used in making a land set. A "laminated trap" means any alteration, modification or manufactured change to the jaws of a foot hold trap that increases the jaw width and therefore decreases jaw pressure.

All foot hold traps with an inside jaw spread equal to or greater than 5 1/2 inches must be offset. An "offset" means any alteration, modification or manufactured change to a foot hold trap resulting in a gap of no less than 3/16 inches between the jaws when the trap is sprung.

No land set may be placed within one-quarter (1/4) mile of an occupied dwelling without prior, written permission of the dwelling's occupant, except for a land set placed by a landowner on his own land. No land set may be placed within one-quarter (1/4) mile of an established public campground, roadside rest area, picnic area or boat launching area. No land set may be placed within 25 yards of any U.S. Forest Service or Bureau of Land Management system trail designated by the agency on a map provided for the general public, or within 25 yards of the shoulder of any public road annually maintained with public funds. When a boundary fence is present, sets must be made on the side of the fence opposite the road. No land set may be placed within 50 yards of any man-made livestock or wildlife catchment, pond or tank containing water, except on private land with written permission of the landowner.

If setting Conibear-type traps on land, the following restrictions apply. No Conibear-type trap with an inside jaw spread greater than 7" may be set on land. A Conibear-type trap with a jaw spread of 6" but less than 7" must be used in conjunction with a cubby set such that the trap trigger is recessed in the cubby at least 8" from the entrance. Conibear-type traps with an inside jaw spread less than 6" are not required to be used in conjunction with a cubby set. Foot hold traps may be used in conjunction with a cubby set as defined above under **Land Sets**.

Water Sets

A water-set trap is a trap or snare set fully or partially under water. No steel trap with an inside jaw spread larger than 7 1/2" or Conibear-type trap with a jaw spread greater than 12" may be used in making a water set.

Visible Bait, Trap Flags

It is illegal to place, set or maintain any snare or steel trap within 25 feet of bait that is visible from any angle and that consists of the flesh, hide, fur, viscera or feathers of any animal. However, a cubby set is legal when the bait can only be seen from a height of three feet or less above ground level at a distance of 25 feet from the trap. The bait must be placed within the natural or man-made cubby but the trap may be outside. Bones that are entirely free of flesh, hide, fur, viscera or feathers may be used as visible bait. The restriction on visible bait does not apply to a trap flag that is suspended above the ground and is made from materials other than parts of mammals, birds, fish, reptiles or amphibians.

Importation & Possession of Live Furbearers

It is illegal to import or possess protected furbearers or other wild-by-nature animals in New Mexico.

Possession

It is illegal to import any furbearer, or to retain alive in captivity, any protected furbearer. The Director of the Department may issue a permit for retention of raccoons or other activity permitted by rule. A person must receive a permit prior to possessing a raccoon.

No Bear or Cougar Trapping

There are no open trapping seasons on bear or cougar, except as permitted for cougars. Livestock owners or others suffering depredation from bear or cougar should call the nearest Area Office of the Department of Game and Fish for assistance. See page 3 for phone numbers.

Tagging of Bobcat Pelts

Anyone who takes a bobcat in New Mexico must present the pelt to a licensed fur dealer or any Department of Game and Fish office for pelt tagging. District Conservation Officers do NOT have bobcat tags. The trapper or his agent must arrange for all bobcat pelts to be tagged no later than April 14 annually and report the county in which the bobcat was harvested. Anyone (except residents younger than 12 years of age) presenting a bobcat pelt for tagging must present a valid Trapper license. It is illegal to present for tagging the pelt of any bobcat taken outside New Mexico. No one shall transport across state lines, sell, barter or otherwise dispose of any bobcat pelt taken in New Mexico unless it has been properly tagged.

It is unlawful for a fur dealer to tag any bobcats contrary to the Furbearer Rules.

Accidental Trapping of Mexican Wolves, River Otters, Lynx and Other Species

Mexican Wolves are federally protected species. River otters are a state protected species. Both may occur in parts of New Mexico. If you should capture a river otter, you must release it immediately.

If you capture a Mexican wolf, please contact the Department of Game and Fish 24-hour dispatch phone at (800) 432-GAME (4263) or call your local conservation officer or call the Mexican Wolf Interagency Field Office at (888) 459-9653 immediately. An officer will respond to remove the wolf and secure it until a member of the Mexican Wolf Interagency Field Team can arrive to process and radio collar the wolf. Trappers should consider double staking traps and/or using heavier drags in order to minimize injury to accidentally captured Mexican wolves.

If you happen to trap a legally protected mammal (other than Mexican wolf) or bird or trap a protected furbearer during closed season, you must release it. Trappers must carry a device for release of non-target animals. If, however, it is badly injured, or its release would be dangerous to accomplish, you must advise the Department of Game and Fish as soon as possible. The Department will release the animal and, if necessary, treat its injuries.

Trappers will not be held criminally liable if they accidentally capture a wolf, river otter or lynx in New Mexico. Any river otter inadvertently taken in a trap, must be reported to the Department of Game and Fish and released if alive or turned over to the Department if dead.

Mandatory Harvest Reporting

By **Feb. 15**, anyone who is licensed to hunt deer or elk, or by **April 7**, anyone who is licensed to hunt or trap furbearers in New Mexico, must report the results of their hunt or trapping season. This is true whether or not they hunted, trapped or harvested animals. Deer, elk, and furbearer hunters and trappers that do not report, will have ALL applications for draw hunts, population management authorizations or private land authorizations rejected the following year.

What You Must Know Before You Hunt or Trap

Closed Areas: All of Los Alamos County is closed to all trapping except the northern quarter and a strip along the west bank of the Rio Grande, (north of Water Canyon, from the Rio Grande to a line 1,000 feet below the canyon rim); the Valles Caldera National Preserve (formerly the Baca Ranch); the Rio Grande Wild and Scenic River; Orilla Verde and Santa Cruz Lake recreation areas; the Valle Vidal/Greenwood area; Chihuahuan Desert Rangeland Research Center; state parks; national parks and monuments; national wildlife refuges and state wildlife management areas. Ft. Bliss/McGregor Range only allows furbearer hunting and is closed to trapping (see **Military Reservations** page 13). The Gila, Cibola, Lincoln and Apache Sitgreaves National Forests are all closed to beaver trapping.

Seasons

Badger, Weasel, Fox, Ringtail and Bobcat

Nov. 1, 2010 - March 15, 2011

Beaver, Muskrat and Nutria

April 1 - April 30, 2010 and Nov. 1, 2010 - March 31, 2011

Raccoon

April 1 - May 15, 2010 and Sept. 1, 2010 - March 31, 2011

There is no open season on pine marten, river otter, black-footed ferret, or coatiundi.

Know the Difference Between a Bobcat and a Lynx

Bobcat

- Underside of tail is white all the way to the tip
- Ear tufts are under 1 inch long
- Cheek tufts are not prominent
- Brownish in color, usually black spots on the belly
- Total length is 25 to 37 inches
- Feet appear small with no hair between pads
- Track size is under 2.5 inches wide
- Stride length is 20 inches

Lynx

- Tail has black tip, not white underneath
- Ear tufts are at least 1.5 inches long
- Cheek tufts are prominent
- Grayish color, no spots on the belly
- Total length is 32 to 37 inches
- Feet appear quite large, pads covered with hair
- Track size is 3.5 to 4.5 inches wide
- Stride length is 28 inches



Colorado Division of Wildlife

This is a lynx. Note the long ear and cheek tufts, black tail, large fur-covered feet and no spots on the belly.

SIGNED AND APPROVED THIS 27th DAY OF MAY 2010.

BOARD OF GRANT COUNTY COMMISSIONERS

Christy Miller

Christy Miller, Member

Mary Ann Sedillo

Mary Ann Sedillo, Chairman

Jovita Gonzales

Jovita Gonzales, Member

ATTEST:

Robert Zamarripa

Robert Zamarripa, Grant County Clerk

X. Bids

o. Approve/Disapprove Bid No. B-09-12, Upper Mimbres Volunteer Fire and Rescue Station #1 Building Addition

Commissioner Gonzales **MOVED TO APPROVE**, Bid No. B-09-12, Upper Mimbres Volunteer Fire and Rescue Station #1 building addition. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**

XI. County Reports

XII. Public input

During the Public input Portion of this meeting, we welcome your suggestions and want to hear your concerns. This is not a question and answer period, any individual who wishes to discuss an item in more depth may present a written request to have items placed on the agenda

XIII. Adjournment

Commissioner Gonzales **MOVED TO ADJOURN**. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY. 4:46 p.m.**

VIII. Contracts and Agreements

j. Approve/Disapprove Agreement No. A-10-14; New Mexico Aging and Long-Term Services Department for the 2008 Laws of New Mexico

Commissioner Gonzales **MOVED TO APPROVE**, Agreement Amendment to A-10-14, New Mexico aging and Long-Term services department for the 2008 Laws of New Mexico. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**

k. Approve/Disapprove Agreement No. A-10-15; DWI Grant Agreement No. 11-D-J-G-10

Commissioner Miller **MOVED TO APPROVE**, Agreement No. A-10-15, DWI Grant Agreement No. 11-D-J-G-10. Commissioner Gonzales **SECONDED. MOTION CARRIED UNANIMOUSLY.**

IX. Resolutions

l. Approve/Disapprove Resolution No. R-10-18, a resolution supporting the banning of animal trapping on New Mexico public lands

Commissioner Miller **MOVED TO TABLE**, Resolution No. R-10-18; a resolution supporting the banning of animal trapping on New Mexico public lands. Commissioner Gonzales **SECONDED. MOTION CARRIED UNANIMOUSLY.**

m. Approve/Disapprove Resolution No. R-10-19, a resolution on Comprehensive Immigration Reform

Chairman Sedillo **MOVED TO APPROVE**, Resolution No. R-10-19; a resolution on Comprehensive Immigration Reform. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**

n. Approve/Disapprove Resolution No. R-10-20, Budget Adjustments

Commissioner Gonzales **MOVED TO APPROVE**, Resolution No. R-10-20; Budget Adjustments. Commissioner Gonzales **SECONDED. MOTION CARRIED UNANIMOUSLY.**

VII. New Business

- e. Approve/Disapprove Letter to the White House regarding EPA's proposed ozone standard
Commissioner Miller **MOVED TO APPROVE**, Letter to the White House regarding EPA's proposed ozone standard.
Commissioner Gonzales **SECONDED. MOTION CARRIED UNANIMOUSLY.**
- f. Approve/Disapprove letter of support to the New Mexico Gaming Control Board
Chairman Sedillo **MOVED TO APPROVE**, letter of support to the New Mexico Gaming Control Board. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**
- g. Approve/Disapprove letter of support for Operation Fort Bayard
Commissioner Gonzales **MOVED TO APPROVE**, letter of Support for operation Fort Bayard. Commissioner Miller **SECONDED. MOTION CARRIED. Chairman Sedillo did not Vote**
- h. Approve/Disapprove Inventory Deletion Request from Senior Services
Commissioner Miller **MOVED TO APPROVE**, Inventory Deletion Request from senior services. Commissioner Gonzales **SECONDED. MOTION CARRIED UNANIMOUSLY.**
- i. Approve/Disapprove Special use of Shooting range from the High Desert Sportsman's Club
Commissioner Gonzales **MOVED TO APPROVE**, Special use of shooting range from the High Desert sportsman's club.
Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**

1

Board of Grant County Commissioners

Regular Meeting Agenda

May 13, 2010
3:00 p.m.

I. Call to Order

Commissioner Sedillo called meeting to order at 3:05 p.m.

II. Pledge of Allegiance and Salute to State Flag

III. Approve/Disapprove Agenda

Commissioner Gonzales **MOVED TO APPROVE** Agenda. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**

IV. Commission Reports

V. Minutes

a. Approve/Disapprove April 20, 2010 Work Session Minutes

Commissioner Miller **MOVED TO APPROVE**, Minutes from Work Session dated April 20, 2010. Commissioner Gonzales **SECONDED. MOTION CARRIED UNANIMOUSLY.**

b. Approve/Disapprove April 22, 2010 Regular Meeting Minutes

Commissioner Gonzales **MOVED TO APPROVE**, Minutes from Regular Meeting dated April 22, 2010. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**

VI. Financial Reports

c. Approve/Disapprove Expenditure reports

Commissioner Gonzales **MOVED TO APPROVE**, Expenditure reports. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**

d. Approve/Disapprove Financial Reports

Commissioner Gonzales **MOVED TO APPROVE**, Financial reports. Commissioner Miller **SECONDED. MOTION CARRIED UNANIMOUSLY.**

MINUTES OF THE BOARD OF GRANT COUNTY COMMISSION
REGULAR MEETING MAY 13, 2010 3:00 P.M.

MEMBERS PRESENT

Christy Miller, Member
Mary Ann Sedillo, Chairman
Jovita Gonzales, Member

OTHERS PRESENT*

Jon Saari, County Manager
Robert Zamarripa, Grant County Clerk
Alfred Sedillo, County Treasurer
Lori J. Ford, CATS
John Waters, CATS
Randy Villa, Grant County Assessor
Mary Alice Murphy
Raul Villanueva, Grant County Sheriff
Pete Walden
Gary Stailey

Due to the large number of signatures please refer to sign in sheet

XI. County Reports

XII. Public Input.

❖ During this portion of our meeting, we welcome your suggestions and want to hear your concerns. This is not a questions and answer period. Input will be limited to five (5) minutes; any individual who would like to discuss an item in more depth may request to be placed on the next agenda. Request forms are available in the County Manager's Office.

XIII. Adjournment

- g. Approve/Disapprove letter of support for Operation Fort Bayard
- h. Approve/Disapprove Inventory Deletion Request from Senior Services
- i. Approve/Disapprove Special Use of Shooting Range from the High Desert Sportsmen's Club

VIII. Contracts and Agreements

- j. Approve/Disapprove Agreement No. A-10-14; New Mexico Aging and Long-Term Services Department for the 2008 Laws of New Mexico
- k. Approve/Disapprove Agreement No. A-10-15; DWI Grant Agreement No. 11-D-J-G-10

IX. Resolutions

- l. Approve/Disapprove Resolution No. R-10-18; a resolution supporting the banning of animal trapping on New Mexico public lands
- m. Approve/Disapprove Resolution No. R-10-19; a resolution on Comprehensive Immigration Reform
- n. Approve/Disapprove Resolution No. R-10-20; Budget adjustments

X. Bids

- o. Approve/Disapprove Bid No. B-09-12; Upper Mimbres Volunteer Fire and Rescue Station #1 Building Addition

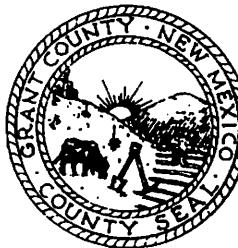
GRANT COUNTY

COMMISSIONERS

MARY ANN SEDILLO
DISTRICT 1

JOVITA G. GONZALES
DISTRICT 2

CHRISTY MILLER
DISTRICT 3



COUNTY MANAGER

JON PAUL SAARI

Telephone: (575) 574-0008
Fax: (575) 574-0073

Grant County Board of Commissioners Regular Meeting Agenda

May 13, 2010
3:00 PM

- I. Call to Order
- II. Pledge of Allegiance and Salute to State Flag
- III. Approve/Disapprove Agenda
- IV. Commission Reports
- V. Minutes
 - a. Approve/Disapprove April 20, 2010, Work Session Minutes
 - b. Approve/Disapprove April 22, 2010, Regular Meeting Minutes
- VI. Financial Reports
 - c. Approve/Disapprove Expenditure Report
 - d. Approve/Disapprove Financial Report
- VII. New Business
 - e. Approve/Disapprove letter to the White House regarding EPA's Proposed Ozone Standard
 - f. Approve/Disapprove letter of support to the New Mexico Gaming Control Board

County of Grant Resolution No. R-10-18

Whereas, commercial and recreational trapping of furbearing animals using hidden and unmarked steel-jaw leg hold and other body gripping animal traps is permitted on many of New Mexico's public lands, including on public lands within and surrounding Grant County and in the nearby Gila National Forest; and

Whereas, steel-jaw leg hold and other body-gripping animal traps are not particular about the age, sex or species of animal they capture, their use on public lands is a threat to and results in the unnecessary pain, suffering, maiming and killing of "non-target" animals, including domestic dogs, cats, rabbits, deer, eagles, owls, hawks and threatened and endangered species; and

Whereas, millions of people and numerous organizations, including the American Veterinarian Association, the American Animal Hospital Association, the World Veterinary Association and the National Animal Control Association have declared steel-jaw traps to be inhumane; and

Whereas, trappers are not required to mark the general or specific location of their hidden traps on any public lands that lie within Grant County and the State of New Mexico; and

Whereas, humans have suffered injuries and companion animals have been injured, maimed and killed by the hidden and unmarked steel-jaw leg hold traps in the Gila National Forest and on other public lands within Grant County; and

Whereas, tourism to Grant County and the region is of major economic benefit and concern to Grant County merchants and residents; and

Whereas, ending the use of steel-jaw leg hold and other body-gripping animal traps on New Mexico's public lands will benefit Grant County by eliminating a practice that takes away from the tourist-friendly environment of Grant County and our surrounding region, resulting in and even greater appreciation of the wondrous natural environment within Grant County and the surrounding public lands, and thereby creating a stronger County.

Now, therefore, be it resolved that the Grant County Board of Commissioners support the banning of animal trapping on New Mexico public lands through the use of steel-jaw leg hold traps, kill type traps, snare traps and any modified version of any such trap.

Be it further resolved that the Grant County Board of Commissioners adopt this resolution and encourage Congressman Harry Teague to support the Refuge from Cruel Trapping Act, H.R. 3710, which proposes to ban the use of steel-jaw leg hold traps, kill-type traps, snare traps and any modified version of any such traps in our National Wildlife Refuge System.

Approved and adopted on this 11th day of May 2010 in Silver City, Grant County, New Mexico by the Grant County Board of Commissioners.

Mary Ann Sedillo, Chairwoman

Jovita Gonzales, Commissioners Dist. 2

Christy Miller, Commissioner Dist. 3

Attest:

Robert Zamarripa, County Clerk