

**UCCE Master Gardeners of Lake Tahoe**  
**July 2016**  
**Regulators, Agencies and Interested Parties**  
**Garden Vertebrate Pests: trap rules and regulations**

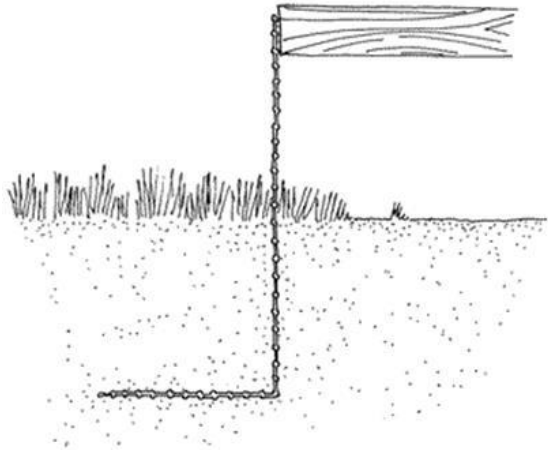
**Question:** I live in Stateline Nevada and my yard backs up to the National Forest. Consequently I have all kinds of critters trying to get my fruit and vegetables. I have installed a 7 foot plastic mesh deer fence which works well. I also put 3 ft. chicken wire fencing around many of my plots to keep rabbits out. Mice, squirrels, chipmunks and the occasional raccoon either go through the fences, or climb over or go under. I've started using snap type rat traps for the mice, which also handles the squirrels, ground squirrels, and chipmunks, and seems to deter the raccoons after a snap or two. I occasionally get small rabbits, stellar jays in the trap and juncos, even when the traps are partially covered. My neighbor said she'd lend me two of her live traps and offered to relocate the critters out of the neighborhood. A landscape friend from California told me that relocating animals is not allowed, but I may need a permit to use the traps in my yard. I'm confused but do not want to give up my garden. What are the rules?

*(MG Note: The snap trap style rat trap is essentially designed for use in an interior situation, in a house, attic, basement, crawl space, barn, or shed to lethally trap mice, woodrats and Norway rats. It is baited and set when used. There are no known regulations, requirements or reporting needed when used in this manner. While also effective in lethally trapping small rodents in the garden, once placed outdoors the traps fall under the jurisdiction of the Department of Wildlife – in Nevada.)*

Answer Provided by: Jessica Heitt, Conservation Aid III, Urban Wildlife Coordinator, Nevada Department of Wildlife

There are a couple of regulatory aspects with regard to this inquiry. Let me break them into component parts to simplify the Department's response.

1. The use of fences and methods of excluding animals from gaining access to the garden is highly recommended as it requires no Department oversight, is nonlethal, and is not too difficult to maintain once installed. Since trapping can be difficult, I would suggest fencing the area and burying a portion of the fence underground about 8 inches and making it an L shape away from the garden so even if something attempts to dig underneath it will not be able to. Another option is to completely close in the area. Below are pictures of a couple different options for the resident.



2. If the resident does use the snap type rat traps they do not need any sort of permit or license for the rat trap placed in the garden, we however do not recommend them as there is no way to control what you catch in them. If they were to catch a protected species (or game species like rabbits) they would have to report it to the Department of Wildlife for proper disposal.
3. If the resident wants to use their neighbors live traps, they must apply for a trapping license through the Nevada Department of Wildlife, however once the animal is caught, depending on what it is, it must be euthanized and cannot be relocated. All the unprotected mammals such as the raccoons, chipmunks, squirrels and mice will need to be euthanized and disposed of, but the birds such as Steller's Jay and Juncos are federally protected under the Migratory Bird Treaty Act and must be released in the same spot, it cannot be relocated. For euthanizing the animals, there are not approved methods, depending on the size, shooting is usually the best option.
4. Another option is to apply for a depredation permit through the Nevada Department of Wildlife, this allows you to hire a pest control company to remove the animals for you. The permit itself is free, but the fee of the pest control company is the responsibility of the resident.
5. Details on trapping regulations are found on-line at:

[http://www.ndow.org/Hunt/Seasons and Regulations/Furbearer/Trapping in NV/](http://www.ndow.org/Hunt/Seasons_and_Regulations/Furbearer/Trapping_in_NV/)

*(MG Note: The history of the snap trap rat trap is an interesting story, both in early designs and also with the companies that built and marketed the traps. See Joachim Dagg's and Edward Knobloch's articles for interesting insights into the history of building a better mouse trap.)*

ABC Pest Home and Commercial Services. A snappy History of the Mousetrap. ABC Blog.  
<https://www.abchomeandcommercial.com/blog/a-snappy-history-of-the-mousetrap/>

Dagg, Joachim. 2011. Exploring MouseTrap History. Evo Edu Outreach. Volume 4 pages 397 – 414. Springer Science & Business Media LLC. <http://philpapers.org/archive/DAGEMT>

The Internet Center for Wildlife Damage Management. <http://icwdm.org/handbook/index.asp>

Knobloch, Edward. Reported in Matriccino, D. (?) Blog. 2010. Oneida Traps: From Religious Commune to Biggest Trap Company in the World. Trapper & Predator Caller. <http://www.trapperpredatorcaller.com/article-index/oneida-traps-from-religious-commune-to-biggest-trap-company-in-the-world>

Nevada Department of Wildlife. Trapping in Nevada. [http://www.ndow.org/Hunt/Seasons and Regulations/Furbearer/Trapping in NV/](http://www.ndow.org/Hunt/Seasons_and_Regulations/Furbearer/Trapping_in_NV/)

Victor Traps. History of Victor. <http://madeintheusa.victorpest.com/history.html>