

**Testimony re: Act 159, "An act relating to best management practices for trapping," and Act 165, "An act relating to hunting coyotes with dogs"**

**To:** Vermont Legislative Committee on Administrative Rules

**From:** Katie Nolan, General Campaigner, In Defense of Animals  
[katie@idausa.org](mailto:katie@idausa.org) / 203-823-8228

October 5, 2023

Dear Chair Squirrel and the Committee Members,

My name is Katie Nolan and I am the General Campaigner of In Defense of Animals, an international non-profit representing our Vermont members. Thank you for the opportunity to provide feedback on these rules. I am here to speak on behalf of our members to express that Act 159 and Act 165 do not meet the legislative mandates.

Several concerns were raised throughout this process by my peers, colleagues, and others that the rules do not meet the legislative mandates. I also attended the June 21 Fish and Wildlife Public hearing in Montpelier to raise several of my own concerns. I would like to echo those concerns and raise some additional points:

**Act 159, "An act relating to best management practices for trapping"**

**The protection of recreators should be prioritized on all Public Lands.** Currently, the 50 foot setback rule (which is in itself inadequate) does not apply to Wildlife Management Areas (WMAs), which make up a significant portion of the public lands in Vermont. There are over 133,000 acres of WMAs in the state, and they are open to the general public for a wide variety of activities including hiking and wildlife watching.<sup>1</sup> These outdoor spaces should be made safe for all Vermonters, so the setback rule should apply to WMAs as well.

**The Process did not feel inclusive, fair, or transparent.** Act 159 directed to improve the welfare of animals and yet comments and concerns from animal welfare advocates, the obvious experts on animal welfare, were not given any serious consideration throughout the entire process. Because of this, the process did not feel inclusive, fair, or transparent

**Licensing and trapper education were not updated.** Despite the legislative mandate, there were no changes in education and licensing to highlight animal welfare. The way licensing is

---

<sup>1</sup> <https://dec.vermont.gov/water-investment/agency-facilities/Wildlife-Management-Areas>

handled currently, someone with a trapping license from another state would qualify for a license without knowing about the BMPs. Additionally, pursuant to 10 V.S.A. § 4254a, individuals can obtain a Vermont trapping license by attending a trapper education course outside of the state, which does not address the specific regulations and requirements within Vermont. A person with an out of state trapping license is also eligible to purchase a trapping license in Vermont regardless of when their original license was obtained. In some states, it is not mandated to attend a trapper education course.

Vermont Fish and Wildlife failed to address the mandate to revise trapper education materials and instructions that incorporate the new proposed recommendations. If the changes to trapping BMPs were not significant enough to warrant providing new educational information to trappers, then perhaps significant enough changes were not made to the BMPs.

**Trapping and hunting are not Synonymous.** It is beyond the authority of the Department to redefine trapping as hunting as they've attempted to in the definitions sections. For this reason alone, we believe the rule should be rejected. This substantive change was never discussed at any of the meetings.

#### **Act 165, "An act relating to hunting coyotes with dogs"**

**The Department's definition of control is inadequate.** A GPS or electrical shock collar does not change the fact that a dog could be out of sight and therefore out of the hunter's control. Additionally dogs cannot read and therefore do not understand when entering onto posted land.

**Landowner permissions:** don't see any incentives to ask permission to enter land that is not legally posted

**Four dogs is too many.** The Department's decision to limit the number of hunting dogs in a pack to four was arbitrarily based on an average of the highest and lowest numbers proposed in the stakeholder working group. The lowest number proposed was 1 and the highest was 6, the average of which is actually 3.5. The department decided to round up to four despite Protect Our Wildlife's recommendation to allow only one hound for a more fair chase.

**Hounding causes disruptions to the ecosystem.** Hounding places stress on non-target species like deer, moose, small mammals, and ground nesting birds whose reaction to dogs is to flee, causing them to expend energy.

**There are welfare concerns for hunting dogs.** Hounds are often perpetually underfed to encourage their prey drive; they can collapse from dehydration and be struck by vehicles while

crossing the road. When hunting dogs do not perform successfully they are frequently abandoned, causing a strain on our local animal shelters

### **Conclusion**

To conclude, the Department did not meet the legislative mandates for both Act 159 and Act 165. We can and must do better to prioritize the welfare of Vermont's citizens, companion animals, and wildlife. Thank you for your time and for your careful consideration of this important matter.

Sincerely,

Katie Nolan  
In Defense of Animals