

Testimony
ONLY

From: jennifer lovett <jagl815@gmail.com>
Sent: Sunday, October 8, 2023 12:49 PM
To: Charlene Dindo
Subject: POSSIBLE SPAM: [External] LCAR Oversight of Act 159 and Act 165
Attachments: Do Best Management Practices Really Improve Animal Welfare (5).docx

[External]

To the Honorable members of the LCAR Committee,

I am a conservation biologist, living in Starksboro, writing to comment on the proposed changes to BMPs for trapping (Act 159) and the proposed regulations on coyote hounding (Act 165). I consider both policies to be egregious, biased, and useless. Neither Act is based on sound, peer-reviewed science, and neither reflects the obvious consensus of Vermont landowners and taxpayers.

The stated mission of the Vermont Fish & Wildlife Department is the conservation of all species of fish, wildlife, and plants and their habitats for the people of Vermont. But the policies of the department regarding management of wildlife do not correlate with that mission.

The mission statement does not say that wildlife is to be exclusively managed according to the desires of hunters, trappers, and anglers. But, in fact that is the reality here in Vermont. Actual conservation takes a consistent back seat to the exploitation of wildlife for recreational hunters and trappers. Those of us who prefer science-based, humane, and ecologically sound wildlife and habitat management are frequently labelled "antis" by the department. Recently, at a public comment hearing in Montpelier, advocates were referred to as "eco terrorists" by a member of the VT Trappers Association. He was not reprimanded for this offensive name-calling. In fact, when his comment was challenged by another meeting participant, that person, the President of a Vermont non-profit, was hushed by Mark Scott. It really is discouraging to know the extent of bias toward special interest groups that regulates FWD policy and behavior. Appearing to be threatened and fearful of anyone who opposes their opinions or policies reflects very poorly on the Department. There is a real lack of professionalism and informed action on the part of this department.

There are many reasons to object to **Act 165** and far more to object to the current open season and nonsensical persecution of coyotes in Vermont. This important species delivers several valuable eco-services, including rodent control, tick control (and hence tick-borne disease mitigation), dispersal of native plant seeds at a time when invasives are threatening native species, control of meso-predator populations, carrion and winter-kill clean-up, and removal of diseased and injured deer from the growing herd. The knowledge of coyote behavior and biology, as is outlined on the FWD website, demonstrates that killing this species not only results in greater population numbers but it also increases conflicts with humans, livestock, and domestic animals. The science is very clear and very well established. To control coyote populations and behavior toward non-native prey, the only effective means is coexistence. The FWD should be

educating farmers and the public about strategies to protect livestock and pets that are based on coexistence with local packs, hazing, fencing, guard animals, etc.. Hunting, especially targeting alpha coyotes, is counterproductive, as FWD biologists know all too well.

Hounding is a particularly inhumane and environmentally toxic activity that serves no purpose other than to appease and entertain hounders. Their dogs cannot be controlled with GPS collars; shock collars are also ineffective and inhumane. If the dogs are not visible to the hounder, he cannot effectively manage their behavior or know what victims they are pursuing or tormenting. Using shock collars on dogs out of sight of the handler is simply inhumane and confusing to the dog. This should be unacceptable for any organization mandated to protect wildlife and habitat. The dogs are free to trespass on private and posted land and they disturb ground nesting birds, small mammals, and young wildlife dependent on their parents. Landowner rights are meaningless in the context of hounding. Summer weather is often too hot for both dogs and their prey to be running at full speed for miles. This activity is simply cruel ---- to the coyotes, their abandoned and potentially orphaned offspring, other collateral victims of the chase, as well as the hounds themselves who are often injured and abused.

As an example of the misdirected nature of Act 165, I refer to text section 3A:

"The General Assembly through the rules required under this section intends to reduce conflicts between landowners and persons pursuing coyote with the aid of dogs by reducing the frequency that dogs or persons pursuing coyote enter onto land that is posted against hunting or land where pursuit of coyote with dogs is not authorized. In addition, the General Assembly intends that the rules required under this section support the humane taking of coyote, the management of the population in concert with sound ecological principles, and the development of reasonable and effective means of control."

The statement highlighted in red completely contradicts the reality of hounding. There is no ecological basis for, or humane means of "taking" (i.e.: killing) coyotes by chasing them for miles, often away from their territory and offspring, with packs of trained hounds (4 hounds to one coyote). And because, clearly no effective means to control packs of dogs running through the landscape after prey exists, Act 165 has no basis and should be nullified. Because all science regarding coyote behavior, biology, and management, supports coexistence and not hunting as the best means to control numbers and human conflicts, hounding coyotes should not be legal in Vermont. The current moratorium on coyote hounding should be revised to a permanent ban. If coyote-hating Vermonters must be appeased, The FWD should create a closed coyote hunting season in the winter.

With regards to **Act 159**, it is discouraging to know that the FWD dismisses its responsibilities to the majority of VTers who clearly disapprove of recreational trapping. This has been demonstrated more than once with perhaps the most relevant being the results of the recent survey done by the FWD in which almost 70% of respondents said they disapprove of trapping. In my experience, I have met many VTers, from all walks of life, who were completely unaware that trapping and hounding take place and were horrified to hear that these activities are legal. The FWD is clearly NOT fulfilling their mandate to the people of Vermont.

I have researched BMPs and authored a clarification paper (literature review) for Protect Our Wildlife about the current science related to this issue. I have attached my sourced paper below. The conclusion reached by most wildlife biologists

and animal welfare organizations is that BMPs do not work. There are many reasons for this including: the lack of monitoring and enforcement of trappers, the inherent sadism (extreme physical injuries) and resulting trauma of restraining a wild animal for hours in a leghold trap, the truly indiscriminate nature of trapping, the toll it takes on non-target (often endangered species or domestic animals), and the lack of a science-based rationale. There is certainly no valid reason for recreational trapping, and it directly conflicts with several tenets of the honored NAMWC that the VT FWD claims to adhere to. The department claims the risk to domestic animals is minimal by stating that rarely are dogs killed in traps. But 12 dogs were caught last year and two died. This past week a 100-pound German Shepherd was seriously injured (fortunately saved by its owner) when he was caught in a conibear trap set for beavers (who typically weigh at most 40 pounds) near a public walking trail. Rather than debate the need for trap setbacks from public trails, why not simply ban trapping from areas with public trails. 20 feet is certainly not a reasonable distance. 500 or more would be acceptable but why take the risk at all?

I am all about science and it's distressing to see so much important and current research routinely ignored by the FWD. Given the current dire situation regarding the climate crisis and the associated loss of biodiversity. It seems to me, as a conservation biologist, that the FWD should be prioritizing strategies to mitigate habitat loss, the effects of extreme weather events, drought, and pollution. The FWD should be focusing its resources and energy on resolving human and wildlife conflicts through coexistence rather than promoting exploitation and recreational killing. There are many recent peer reviewed studies demonstrating the value of beavers in ecosystems to protect water quality, promote biodiversity, and the ability of beaver wetlands to mitigate drought, wildfire, and floods. A recent large multi-year study in Ontario concluded that hunting bears does little to deter human-bear conflicts. They concluded that coexistence is a much better strategy to manage this important species. It goes on and on, study after study, and yet the FWD continues to perpetuate and support a culture that belongs in the history books. Their actions cater to a small number of people and, by doing so, infringe on the rights of everyone else and endanger our children's and grandchildren's futures.

Thank you for your oversight of the Fish and Wildlife Department Acts 159 and 165. I hope you will take public opinion as well as relevant peer-reviewed science into consideration in making any legislative decisions.

Jennifer Lovett

Starksboro, VT



Sender notified by [Mailtrack](#)



From: Alex Knight <vermontvoluntaryist@keepandbeararms.com>
Sent: Friday, October 13, 2023 7:05 PM
To: Charlene Dindo
Subject: [External] Testimony on both trapping (S.201/Act 159) and/or coyote hounding with dogs (S.281/Act 165).

[External]

Dear LCAR/Legislature:

With respect to both of the aforementioned bills, things were just fine with Vermont trapping and hunting laws until the present Marxist/socialist element that currently represents 2/3 of this state implanted themselves in everyone's midst, beginning in the 1960s.. I can only say the fewer changes, the better (in accordance with the spirit of the quotes following this email). It is sad that it's either passage of these bills as is -- or total abolition of the activities in question altogether.

Government is darkness.

Alex Knight
Marlboro
(802) 464-0701

0 0 0 0
--

"I don't believe in government. I hate politics. I'm against it. And I hope that sometime... we can destroy part of our government, and [later] destroy even more of it. The less government, the happier I will be." ~ Ray Bradbury

10 10 10

"The problem that governments are trying to solve is the existence of your freedom." ~ Jeffrey Tucker

From: STEVEN CROSBY <skcrosb@aol.com>
Sent: Sunday, October 15, 2023 9:23 AM
To: Charlene Dindo
Subject: [External] S.201

[External]

S. 201, the way it is being written, is an illegal attempt to circumvent the VT Constitution and in order to satisfy special interest groups outside of the State Vermont. Why are unelected individuals and radical animal rights organizations being allowed to write law. This illegal and unconstitutional and will be challenged in court.

DO YOUR JOB!!!

Sent from my iPhone

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email.

From: Jeffrey Kaufman, M.D. <JeffreyKaufmanMD@gmail.com>
Sent: Sunday, October 15, 2023 10:12 AM
To: Charlene Dindo
Subject: [External] NO to S.201

[External]

Dear Charlene,

Please convey my position to the LCAR committee members regarding Vermonter's hunting, trapping and fishing rights, as protected by the Vermont Constitution, which I see being disregarded through clever but improper and misguided efforts to circumvent historic and long established legal boundaries and protections using S.201.

Legislative counsel proclamations of the bill's propriety in the face of clear Vermont Constitutional boundaries otherwise set to protect Vermonter rights seem to parallel examples of legislative bullying. Though the legislature in some years may enjoy a veto proof super majority, they must nonetheless be guided and restrained by morality and ethics. Who is strong? Those who are powerful yet restrain their power. Who is disdained? Those who use power to overrun those who can not oppose them. I'm reminded of the 1971 song "Jolene" by Dolly Parton who wrote about a marriage threatened by a tall and pretty bank teller who held control over a young woman's homelife and happiness pleading with her not to take her man, "just because you can".

LCAR, please do not interfere with Vermonter hunting and fishing rights as established and protected by the Vermont Constitution. Attempts to circumvent these protections by being clever does not make wrong right.

Thank you for your consideration.

Very sincerely yours,

Jeffrey Kaufman MD
Derby, VT

B"H
5784

From: Betty Moore <bettyandmikemoore@gmail.com>
Sent: Sunday, October 15, 2023 4:04 PM
To: Charlene Dindo
Subject: [External] S.201 re: coyote hunting

[External]

I am expressing my concern over the upcoming vote on this.

I wish to urge the legislators to vote on this matter as it was intended and not to add more that would place more restrictions on hunters and the Second Amendent right of our Constitution through this bill.

I am asking not as a hunter but as a person who respects the rights of hunters or any other individual sportsman or person, to not be targeted by special interests of others!

This legislature seems to do this more often than not and is becoming more like dictators than someone who gets paid by the people of the state!

From: jewelkay@myfairpoint.net
Sent: Sunday, October 15, 2023 4:49 PM
To: Charlene Dindo
Subject: [External] Trapping and Coyote Hunting

[External]

Dear folks at LCAR:

If, in fact, VT loses trapping and/or coyote hunting, Mother Nature will take over. There will be mange, distemper and rabies to take care of the animals.

People and pets will be affected in a bad way.

Sincerely,
Stuart Kinney
Houndsman

From: Pam Baker <motherearthpam@yahoo.com>
Sent: Sunday, October 15, 2023 7:23 PM
To: Charlene Dindo
Cc: John Klar; John Lyddy
Subject: [External] Hearing October 19th

[External]

I would like to make my voice heard at this hearing:

for S.201 slated for October 19th at 10 am.

However, I have to attend a physician appointment at the exact same time. So, these words are being submitted in lieu of a physical or virtual presence.

From:

S.M.I.

I, a conservative tax paying legal citizen of the state of Vermont demand that LCAR honor the legislative intent of these statutes S.201 as drafted and not undermine them by addending politically motivated rules that will render that intent moot.

If nothing else, drafting legislation when the Legislature is not in session and denying citizens the basic information such as who is drafting these bills and calling it "privileged information" is likely unconstitutional but very certain unethical.

The language in the Federal Constitution is quite clear...the right to bear arms, "shall not be infringed". Not sure why anyone thinks that is up for debate or altering.

And the Legislators took an OATH of OFFICE to defend the Constitution:

W33C1

The Oath or Affirmation of Allegiance

You do solemnly swear (or affirm) that you will be true and faithful to the State of Vermont and that you will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. (If affirmation) Under the pains and penalties of perjury.

Respectfully submitted,

Pam Baker

West Halifax VT

10/15/23

LCAR Committee
Mr. Trevor Squirrel, Chair

10/16/23

Testimony for the October 19, 2023 committee meeting
Reference : Bills S201 (as presented in Act 159) and Bill S281 (as presented in Act 165)

Devon Craig, Secretary, Barre Fish and Game Club , testimony as follows:

I am a Vermont citizen who has hunted, fished and trapped in our state for the last 64 continuous years. After the first 15 of those years, in 1974, I was awarded a Bachelor of Science in Wildlife Biology from the University of Vermont. The Barre Fish and Game Club established in 1919 , has annually over 600+ members members from all walks of life , who enjoy the bountiful harvests Nature gives us in Vermont ! I represent them.

To be perfectly clear , the Acts referred to above, are intended to regulate trapping methods and the taking of coyotes with dogs assisting. They are in no way intended to eliminate those actions. A Legislative body (House and Senate) , elected by the Citizens of Vermont , overwhelmingly passed those bills . Our Governor reinforced those actions by signing them into law.

The Vermont Fish and Wildlife Department has dedicated, professional biologists who apply scientific methods of the latest technology in the world to help regulate animal species in Vermont. Though those endeavors , with a vigorous public input, they continue to enhance the outdoor experiences for our citizenry . Their goal is to provide, maintain and utilize healthy populations of animals within the confines of Vermont's borders. They recognize the value of traditional hunting, fishing and trapping methods, not only for control, but to provide sustainable numbers of animal populations for the enjoyment of consumptive and non-consumptive users alike.

It makes no sense to discard the efforts and sound reasoning of professional people and other dedicated conservationists in order to acquiesce the emotional rhetoric of a few misinformed individuals !

The hunting, fishing and trapping community in Vermont has been guided by self imposed rules and regulations since the 19th century. And self imposed taxation has provided huge amounts of money to purchase land and other tools to further enhance animal populations and the enjoyment of our citizens.

“ Best Management Practices (BMP)” is a loose terminology which is interpreted differently by individuals and governing bodies alike. There is no set of explicit rules for its definition. Hopefully, the Committee will use its ability to ‘tweak the laws’ and still preserve the intent of the laws. They should be intended to regulate within sound reasoning , not BAN !

Respectfully submitted,
Devon Craig, Sec.,BFGC

From: Joe Hoffman <hoffmanjoe7@aol.com>
Sent: Sunday, October 15, 2023 10:48 PM
To: Charlene Dindo
Subject: [External] Testimony

[External]

My name is Joe Hoffman. I live in South Burlington, Vermont. I grew up in rural Barnet, Vermont. I support BMP'S that better facilitate humaneness without impeding trapping. The same for hunting coyotes with hounds. Also , i support a coyote hunting season , just like any other game animal. Hunting and trapping are deeply imbeded in the fabric of our rural culture. Thank you, Joe Hoffman [Sent from the all new Aol app for iOS](#)

From: Daniel Loraditch <dclmail47@gmail.com>
Sent: Monday, October 16, 2023 5:35 AM
To: Charlene Dindo
Subject: [External] LCAR & S.201

[External]

The system is letting people who have no knowledge or experience with a subject, legislate them, is destined to fail.

Wildlife population, and management requires knowledgeable administration.

Fish and game department has that knowledge.

The raccoon population has a cyclical history of healthful years followed by sickness. Raccoons are the purveyors of rabies. They infect other species including humans. The infection begins with the overpopulation.

Hunting is the proven, economical, effective, way to prevent illness.

The representatives of the people should realize there are safety issues that effect their constituents. Pleasing the people without a complete understanding of the problem is dangerous. Doing what is best for all should be the goal.

From: TERESA BLAISDELL <vtfarma55@aol.com>
Sent: Monday, October 16, 2023 6:06 AM
To: Charlene Dindo
Subject: [External] Demand for transparency in our legislative bills, and protection of our hunting and trapping rights

[External]

I am asking for the consideration. As a Vermont citizen to make my demand for transparency in government be clear with any bills presented , so as not to allow sly changes not openly stated occur behind the backs of our citizens. Too many times our small state has been used as a springboard for extremely liberal Ideas to be snuck in through the back door to be put into law , when it wouldn't be possible in a more populous state with a wider spread of voters, not just a few larger cities , under the influence of very far left leadership. An example of this was the Civil Union bill that was falsely pushed through as just to help those living in caregiver situations to save on taxes and give better benefits, for "Protection" ; it was a clever ruse to redefine the sacred rite of marriage , as between a man and a woman; it was in reality carefully crafted to be used by other states with special interest minority groups ready to pounce to action in their states. Our great little state should NOT be used by crafty clever special interest groups to undermine our rights and be changed for their devious purposes.

Sent from my iPhone

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email.

From: George Gattone <ggattone256@gmail.com>
Sent: Monday, October 16, 2023 8:17 AM
To: Charlene Dindo
Subject: [External] Trapping and hunting coyotes

[External]

To Vermont legislators:

I do not support additional restrictions on trapping and hunting coyotes, or any other game or fur bearing species.

Hunting and trapping are traditional activities that many generations of Vermonters have enjoyed.

The recent and continuing attacks on our lifestyle choices minimize hunters and trappers as a population just because the anti crowd disapproves of what we do. We matter too, just as much as BIPOC, LGBTQ, disabled and other segments of society do.

Our Fish and Wildlife department professionals and board volunteers have done an outstanding job managing our resources and should be allowed to do so without interference from these groups.

If changes are allowed to coyote trapping and hunting, what will be next? These groups will not stop, they will continue to push for more and more restrictions to our way of life.

Please, think hard about ALL Vermonters and listen to ALL our voices, not just those from one segment of society. We all matter!

Thank you,

George Gattone
Walden, VT

Sent from my iPhone

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email.

From: John Klar <farmerjohnklar@gmail.com>
Sent: Monday, October 16, 2023 8:55 AM
To: Charlene Dindo
Subject: [External] S 201

[External]

I support S 201 and S 281 as drafted and intended by the legislature, not over-regulated by excessive and unintended rule making.

John Klar
625 Cemetery Street
Brookfield, VT



From: Nick Smith <vt.outdoor.forestry@gmail.com>
Sent: Monday, October 16, 2023 8:58 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Please include in the written testimony.

[External]

Good Morning,

I am beyond concerned by how this change to our Vermont way of life and freedoms are being considered. I don't fit the profile of what POW thinks of Vermont trappers and hunters. I'm college educated, hold a professional license and a business owner.

As a professional in the scientific community, and a Hunter and trapper, I have to seriously question the intelligence of any law maker who feels emotions outweigh scientific principles and necessities.

My second concern is with what a loss of this magnitude will mean for law abiding sportsmen. I fear a subculture of sportsmen will continue to partake in methods that were once their right and become criminals for something that is not malicious or even ill advised.

Thank you.

Nicholas Smith-President
Northeast Natural Resource Management
Licensed Professional Forester
Licensed Commercial Herbicide Applicator
603-359-0272

From: Patrick Finnie <pat.finnie@gmail.com>
Sent: Monday, October 16, 2023 9:23 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Trapping & Coyote hunting

[External]

I wish to share my views on the proposed changes for trapping and coyote hunting. The people suggesting these changes will NEVER be happy until they have outlawed all trapping and hunting. Now is the time to draw the line as to where tradition loving Vermonters say no more ! Personally I will not vote for anybody that supports any of these anti Vermont tradition positions.

Very Sincerely,
Pat Finnie

From: Jonathan Wright <jwright@bensonwood.com>
Sent: Monday, October 16, 2023 9:13 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Statement on proposed changes to trapping and coyote hunting

[External]

Dear legislative panel and all in attendance. I know this is a very emotional topic for many, for both sides of the issue it bares to the truth of our existence. On both sides you have groups that want to act in the best interest of conservation but with differing views. From anti-trapping and hunting groups you have an emotional driven approach that discounts the expertise of state wildlife officials and on the other side an emotional driven approach trying to maintain a tradition that is under attack. Unfortunately, there is no clear right answer, except remove the emotion and follow the science.

The science, law and history say trapping is an effective tool for wildlife management when correctly used, thou some want to ignore the data, its proven that legal and ethical approaches to trapping have a place in our wildlife management plan for fur bearing animals. As always there are people that are outside the law and operate in an unethical manner and our laws need to be effective in controlling and minimizing those actions, but not at the whole sale stripping of rights from the majority of ethical hunters and trappers.

What I ask is simple, no matter your personal beliefs on hunting or trapping, put those biases aside and listen to the experts and scientist. Please do not govern from a place of emotion response and personal bias but from a place of knowledge and acceptance, even if you do not believe in the practice, it doesn't make it wrong. I trust our state Wildlife Biologist and so should the legislature, its literally what you pay them to do.

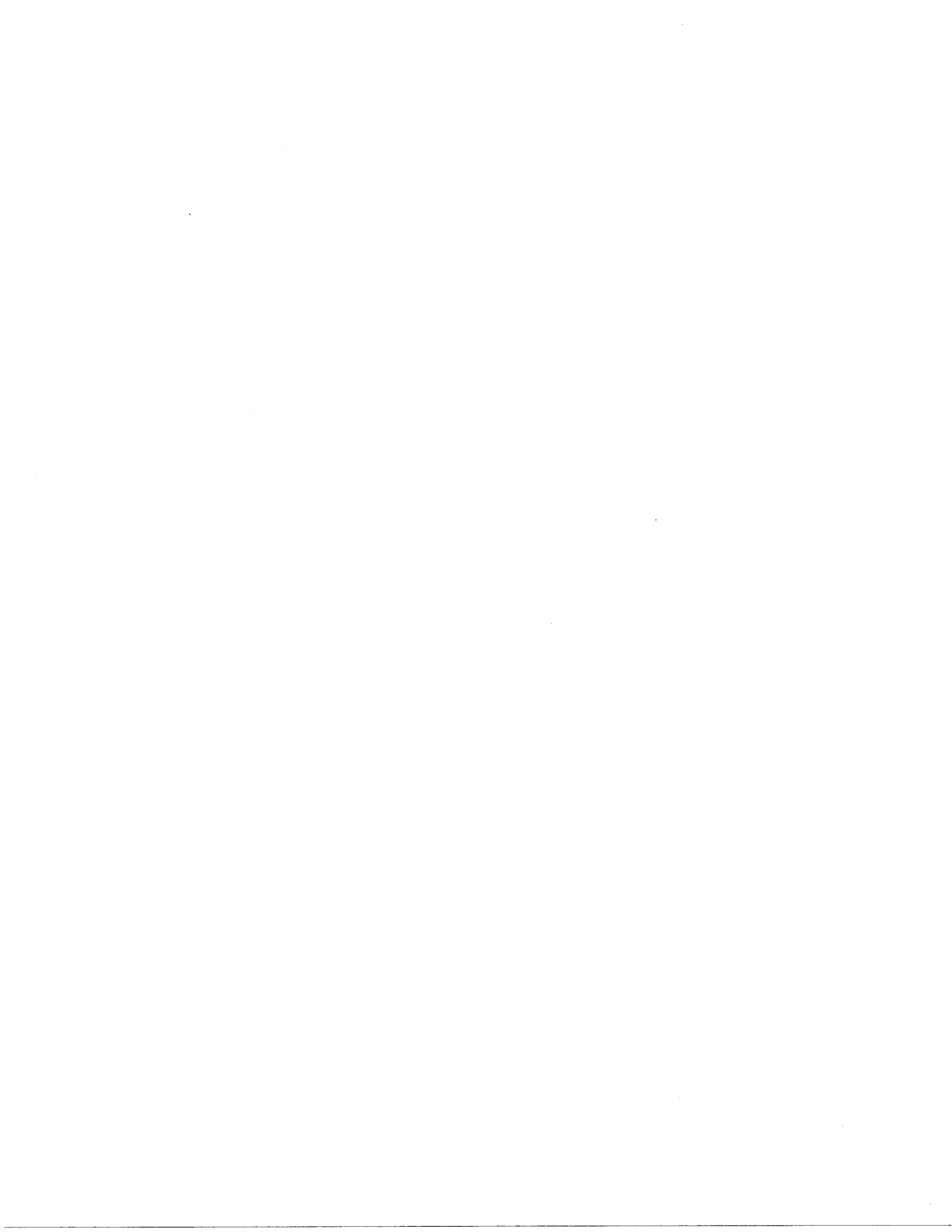
Kindly Jonathan Wright - Rockingham VT resident



Jonathan Wright
Project Manager
603-756-3600 x138
www.bensonwood.com



[Sign up for our newsletter!](#)



From: Bill <alpha1farms@gmail.com>
Sent: Monday, October 16, 2023 9:28 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Coyote Hunting & Trapping

[External]

Good Morning,

First, I would like to say that I do not hunt or trap but I wanted to share my experiences with coyotes in Vermont and hope that you can truly empathize with those who see the need for fast and aggressive management practices.

I was born and raised in Vermont. As a young man near the Derby/Holland line, I watched as one of my neighbor's Basset Hounds, Shamus, came hobbling back after an encounter with a pack of coyotes. He survived the fight but would not survive the injuries. Coyotes rarely attack and kill dogs, but instead choose to intentionally cause severe injuries that will result in long suffering death. This handsome and beloved family member came back without testicles or a rectum, as coyotes attack the genitals first. Shamus never left my neighbor's property, this happened less than 100 feet from their back door.

Years later, in Newport Center while visiting a friend, we watched in horror as a group of no less than 8 coyotes attacked their chained Great Dane in broad daylight. Screaming and throwing rocks, we could not get them to retreat. It wasn't until my friend's father came out with a 20 gauge shotgun and killed 2 of them before the rest retreated. Like Shamus, their family member had been shred to pieces, on their own property, resulting in mortal wounds. This time it was a dog, restrained to adhere to local legislation, shredded piece by piece in front of the children who grew up with him. 25 years later they are still haunted by that day.

I could go on with more stories of standoffs I have personally had with coyotes or lost livestock on which my family's livelihood depended. These animals are not dogs. They are heartless and inhumane in their savagery. It is critical that Vermonters be allowed to quickly and aggressively pursue and dispatch the groups of coyotes that are causing these devastating losses to property and freedom in any way necessary.

Thank you,
Bill LeBlanc

--

Thanks
Bill



From: Zachary Suddaby <zach@suddabeeshoney.com>
Sent: Monday, October 16, 2023 10:03 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Testimony on in support of trapping and hounding

[External]

Charlene,

I have reason to believe I have important testimony that should be heard of S.201/act 159 and 281/ act 165.

To begin, It has been caught on live on camera that we have a group of biased senators and congressmen who completely ignore science and facts simply because they do not like hunting, trappers or houndsmen.

It is also my opinion that the majority of the anti hunters who are pressing this matter are majorly biased and also have no interest in preservation but destruction of long lived tradition, constitutional rights, and history. How can we trust them to actually can make rightful, factual decisions when they simple ignore what the skillful team of professionals the Vermont fish and Wildlife have on board. They do this simply because they do not like they way of life 11,000 other people live.

In a world where anyone can be who or what they want and we cannot say if it is right or wrong. It is extremely offensive and disrespectful for people, including senators and congressmen to attack a long lived way of life simply because they don't like it.

It is my belief that the importance of trapping lies beyond traditional hunting. The use of trapping is not only as important skill but a tool that is used in many areas beyond traditional hunting. Trapping not only allows an individual to harvest meat for eating but also allows individuals to make a profit from animals that otherwise could be destroyed in a hunting scenario with a firearm.

If there is even a firearm season on the specified animal (many do not) it allows individuals to use conservation, skilled technique and persistence to successfully catch an animal. Trapping is also important because it can control nuisance animals that otherwise would run free and able to cause costly damage.

Trapping also has been proven to protect many species of wildlife in many different habitats.

These are all facts that have simple been ignored in the name of "anti hunting and trapping groups"

Many of these anti hunting and trapping groups know very little about hunting and trapping in general, and would be much more educated if they looked at facts, science and participated in a few hunting and trapping classes.

Coyote hounding and hounding in general; I have personally taken part of hundreds of various hunts that included the use of trained dogs.

The primary nod these hunts being coyotes. Not in one instance have I ever seen a hound kill a coyote, bear, rabbit, or bobcat. In every instance I have seen domestic animals trained to pursue the species intended and hold the animal until the owner of the animal could get there. In any aspect if a domestic animal, or human comes in close contact with a wild animal, the wild animal is going to display signs of self defense. It's just natural.

Hounding is also another very important tool used to control wild and nuisance animals. These animals otherwise are very often hard to even see.

I do believe there could be some productive control on how and when hounding (coyotes) should be. I believe the state could come up with a hounding safety course, such as bow, trapping and hunter education.

Thank you for your time.

Zach Suddaby
802 595 5311

From: vthumane@pshift.com <vthumane@pshift.com>

Sent: Monday, October 16, 2023 10:18 AM

To: Trevor Squirrel <TSquirrel@leg.state.vt.us>; Mark MacDonald <MMacDonald@leg.state.vt.us>; Christopher Bray <CBray@leg.state.vt.us>; Virginia Lyons <VLyons@leg.state.vt.us>; David Weeks <DWeeks@leg.state.vt.us>; Seth Bongartz <SBongartz@leg.state.vt.us>; Mark Higley <MHigley@leg.state.vt.us>; Carol Ode <COde@leg.state.vt.us>

Cc: Charlene Dindo <CHARLENE@leg.state.vt.us>

Subject: [External] VT Fish & Wildlife Has Not Fulfilled Mandates in Act 159 & 165

[External]

Dear House & Senate LCAR Committee Members:

I am writing to you on behalf of The Vermont Humane Federation that was formed in 1990 by the merger of two humane organizations, the VT Humane Society (founded in the late 1800's) and the VT Federation of Humane Societies, which began in 1977. We were founded as a vehicle for sharing ideas and finding solutions to problems as it relates to animal welfare. Our Federation currently represents Vermonters from every corner of the state.

The Vermont Humane Federation supports the recommendations that were put forth in the attached letter submitted by Protect Our Wildlife, Humane Society of the United States and Green Mountain Animal Defenders in 2022. The current rulemaking before you by VT Fish & Wildlife is insufficient to protect wildlife, the public and our pets.

As long as traps remain legal, they should be set away from trails **on all lands**, including Wildlife Management Areas and Federal lands. More and more people are recreating outdoors with their dogs and should not have to fear their dog being injured, or even killed, in a trap set for wildlife.

A 50 foot requirement for trap setbacks is grossly insufficient—what is even more concerning is that powerful kill traps set in shallow streams are not subject to any setback requirements.

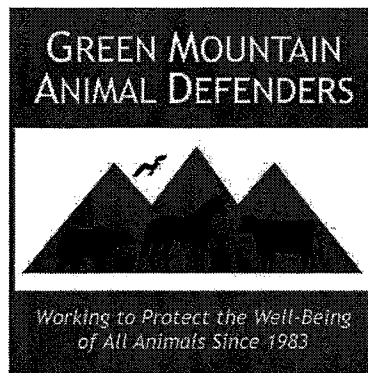
Even trappers warn of the dangers of these traps as evidenced in this [YouTube](https://www.youtube.com/watch?v=kUOFmNVc5Xs) video: <https://www.youtube.com/watch?v=kUOFmNVc5Xs> where he states: "We'd like to highly stress the importance of not using these traps in areas where there might be non-target animals such as dogs, cats and your neighbor's pets."

In addition, hounds in pursuit of coyotes should be under verbal and visual command of their handler. The use of a GPS and shock collars is not only ineffective for controlling dogs that are out of sight, but shock collars are a controversial method of training. People's domestic animals are harassed and even mauled by hounds in pursuit of wildlife. That will continue to happen even with Fish & Wildlife's rulemaking before you.

Vermont leads the nation in those who share homes with cats and dogs. It is imperative that the recreational activities of trappers and hounders don't place the public and our pets in harm's way.

Please reject these rules and require that Fish & Wildlife come back to the table with rulemaking that actually meets the legislative mandate and intent of Acts 159 and 165.

Thank you,
Jackie Stanley
VHF President
<https://vermonthumane.org/>



May 13, 2022

Re: Changes to trapping rules

Dear Vermont Fish & Wildlife Department:

We write on behalf of the Boards, members and supporters of our organizations in response to desired changes we'd like to see implemented with respect to trapping in Vermont. We were in support of the original draft of bill S. 201, a ban on leghold traps. The current version of the bill requires the Vermont Fish & Wildlife Department (VFWD) to address animal welfare, trap selectivity, and public safety concerns. Although this does not reflect the original intention of the bill, we still see value in this effort as it now requires trappers to take actions to prevent harm, such as placing traps away from highly trafficked areas on public lands and putting up warning signage. (These are some of the issues we had requested previously as part of other rulemaking proposals.)

We do not believe that leghold/foothold traps can ever be humane, nor do we think that enforcement of any proposed Best Management Practices (BMP) is practical given the shortage of game wardens and the many nuances involved with trap BMPs. The April petition submitted by the Vermont Trappers Association falls far short of offering any meaningful improvements. As an example, their offer to prohibit any foothold trap greater than 6¼ inches, as measured inside the jaws, illustrates how problematic the issue of BMPs is. Most BMPs recommend a jawspread much smaller than that.

Under the current BMPs, wildlife will still endure unimaginable suffering. The BMPs rely on international scales of trauma and injury to assess animal welfare. As part of the research involved with the recommendations, injuries to trapped animals are evaluated on a scale from mild to severe.¹

Moderate injury, according to Association of Fish & Wildlife Agencies (AFWA), includes amputation of one-digit, permanent tooth fracture exposing pulp cavity, severe joint hemorrhage, eye lacerations, rib fractures, and major laceration on foot pads or tongue. These scales allow for severe suffering to individual animals, as long as an average amount of suffering across all animals trapped is below a certain threshold. Notably, up to 30% of animals caught in restraining traps, such as leghold traps, can suffer from severe trauma, **such as amputation, compound fractures, severe internal organ damage, spinal cord injury, or death and still meet the BMP criteria.**² AFWA's website lists other inhumane practices that are allowed under the BMPs.

BMPs clearly allow unacceptable levels of trauma to both targeted and non-targeted animals, including household pets. We will continue to advocate for an outright ban on leghold/foothold traps and follow the lead of 100 countries and states like California, New Mexico, Colorado, Florida, Massachusetts, New Jersey, Rhode Island, and Washington that have either completely banned or restricted the use of leghold traps.

The legislature has asked that VFWD consider rules that shall be "at least as stringent as best management practices." This is a prime opportunity to carefully review existing trapping regulations and make improvements.

Our proposals

- Resubmitting our 2019 petition concerning trap setbacks and placement of flesh bait on land traps (see attached).
- Prohibit the recreational and commercial trapping of bobcats, river otters, fisher and coyotes. Biologists inform us that these predator species provide numerous ecological services on our landscapes and should be protected and not killed. They face both known and unknown threats, such as rodenticide poisoning, mercury and other water pollutants (otters), loss of prey species for bobcats in some areas due to loss of early successional habitat, distemper and other dangers. Some of these threats are outlined in VFWD's own *Wildlife Action Plan* in the Species of Greatest Conservation Need section.

At the very least, we would like VFWD to provide evidence that the trapping of these species, with no bag limits, is not impacting local populations, especially in areas with high level of take. Our

neighboring state of New Hampshire does not allow any hunting or trapping of bobcats and has a two-fisher limit (combined between hunting and trapping seasons).

- VFWD must determine the maximum number of traps on a trapline, to better allow trappers to adhere to the daily trap check requirements and to properly tend to the trapped animal(s).
- Gunshot should be the only allowable method for killing animals in leghold and cage traps set on land. Bludgeoning; stomping on the chest; drowning of trapped and caged animals; choking; strangling and other non-gunshot methods are prohibited. Special considerations may be made for nuisance wildlife control operators who sometimes kill animals offsite in CO₂ chambers.
- Body-gripping, or so-called "quick kill" Conibear™ style traps, may only be set underwater in order to avoid killing non-targeted animals like bobcats, dogs, and other animals.
- Prohibit the drowning of animals in submersion sets, including cage traps and leghold traps that are attached with a one-way sliding lock to a cable anchored in deep water. For example, cage sets are placed underwater and live trap multiple muskrats at a time who are then drowned.
- "Quick kill" body-gripping traps must be fully submerged under water. The animal welfare performance standard for submersion trapping systems is that once submerged, the equipment must prevent the animal from resurfacing.³ Researchers find that so-called "quick kill" traps often do not kill the animal instantly—instead inflicting painful injuries—and as a result recommend that check times for these devices be reduced even further to prevent more suffering.⁴ This is important given that trappers in Vermont are only required to check water traps every 72 hours.
- Mandatory reporting of all incidental takes (e.g., black bear, bobcat, deer) to VFWD within 24 hours. Trapped animals covered under the Migratory Bird Treaty Act (e.g., raven, owl, eagle) must be reported immediately upon capture and guidance provided by a veterinarian or other qualified professional on how to proceed with animal if s/he is still alive.

- Require trap sensors on all land traps. VFWD often talks about leghold traps being used by scientists in the field for reintroduction of species, however those traps often have trap sensors or trap transmitters that emit a signal once a trap has closed, allowing for more immediate capture or euthanasia of trapped animals.⁵ This may reduce or eliminate mortalities due to exertion and predation. Additionally, trap protocols for scientists differ from those for recreational trappers, including the best practice of checking traps before noon to prevent injuries caused by the trapped animals fighting against the trap. We would like to see these protocols adopted across the board.

We'd also like VFWD to consider the concern that landowners trapping in defense of property, under the dangerously broad title 10 V.S.A. §4828, would be exempt from any meaningful changes.

We look forward to working with VFWD to address Vermonters' long-standing concerns with trapping.

Thank you,

Brenna Galdenzi, Stowe VT
President & Co-founder, Protect Our Wildlife

Anne Jameson, Marshfield VT
Wildlife Coordinator, Green Mountain Animal Defenders

Joanne Bourbeau, Jacksonville, VT
Northeast Regional Director, the Humane Society of the United States

¹ Rochlitz, I. The Impact of Snares on Animal Welfare

https://onekindplanet.org/uploads/publications/onekind_report_on_snaring_chapter_1.pdf

² The Association of Fish & Wildlife Agencies (2006 updated 2021). Best Management Practices for Trapping in the United States, Introduction. https://www.dec.ny.gov/docs/wildlife_pdf/trapbmpsintro.pdf

³ Ibid.

⁴ Proulx, G., & Rodtka, D. (2019). Killing Traps and Snares in North America: The Need for Stricter Checking Time Periods. *Animals: an open access journal from MDPI*, 9(8), 570. <https://doi.org/10.3390/ani9080570>

⁵ The American Veterinary Medical Association. Leghold Trap Use in Conservation and Research (April 30, 2009). https://www.avma.org/sites/default/files/resources/leghold_traps_bgnd.pdf

From: Carrie Emerson <carriegemerson@yahoo.com>
Sent: Monday, October 16, 2023 10:32 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Statement for the record: Support for S.201 and S.281

[External]

Charlene,

I am emailing on behalf of the Vermont Hunting Community. I grew up here and I am raising my children here. We are avid conservationists leaving the woods a better place than we found it, we often bring home trash left from hikers and mountain bikers here in the Northeast Kingdom. We have been harassed and threatened on multiple occasions by anti-hunters in our community. Our dogs have been threatened to be shot in front of my young children's eyes. We have been marginalized and discriminated against for years.

We have a special connection to wildlife and the land of our magnificent state. I use hounds to pursue bears and have been asked by many throughout the state to come and help save their farm animals, bee hives, and prevent other property damage daily. While doing this I have been swerved at by fast-moving vehicles, accused of being a sadist and called words I don't think need to be written, all in the presence of my two sons. And, have not retaliated like most anti-hunters accuse Hounds People of.

I have been following the last few years sessions and it appears that emotions from the anti-hunting community are what is being heard. I have listened and I have felt much of what has been said, both personally and professionally. I look to science to base my decisions; I am teaching those in my house and in my community the importance of managing wildlife ethically. I listen to understand the opposing side and have empathy for some of what is said. As a conservationist I believe in following the law, I believe in being ethical, I believe in using my morals of having compassion and empathy while hunting. I do not believe in allowing emotions to be what guides decision making, and that seems to be the direction Vermont is going.

Both S.201 and S.281, when they were voted out of the Senate Natural Resources & Energy committee, passed unanimously 5-0-0. When these bills were taken up and passed by the House Environment & Energy committee, S.201 was passed with a vote of 8-0-3 in favor with S.281 passing with a vote of 10-0-1 in favor. With votes like this, it should be clear that the legislative intent was NOT to have bans on these activities, but to preserve trapping though the adoption of BMPs and to allow the use of dogs to hunt coyotes once the rules and regulations were promulgated.

Please consider this email as support for the new version of these laws.

Best,

Carrie G. DeLaBruere

2898 Fall Brook RD

Wheelock VT 05851

(c) 802-522-4259



From: Ryan Delabruere <rpdelabruere@gmail.com>

Sent: Monday, October 16, 2023 10:32 AM

To: Charlene Dindo <CHARLENE@leg.state.vt.us>

Subject: [External] Comment for the upcoming trapping and coyote hunting hearing

[External]

Ryan Delabruere I'm a resident of Wheelock, VT. I'm writing this comment to express my concern and disappointment in the way the Vermont legislature has handled hunting and trapping bills in the recent years. The continued verbal abuse that has been allowed to occur around hunting and trapping bills is very disheartening and should not be allowed by the Vermont legislature. These attacks are very personal to me and my family, they are vilifying my whole family, and I question if this is the type of behavior the Vermont legislators are willing to stand by and support. While we may be a small group of individuals that support and participate in these activities we still matter the diversity of people interests, hobby's and most importantly lifestyles still matter and always will matter. Vilifying and persecuting a small group of Vermont residents is not the way to unite and coexist as Vermonters.



From: jeff disorda <jeff.disorda@gmail.com>
Sent: Monday, October 16, 2023 10:33 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Cc: Brian Collamore <BCollamore@leg.state.vt.us>
Subject: [External] Trapping and Hound Hunting Bills

[External]

I would like to comment and testify on the bills on October 19th.

Dear LCAR committee,

These regulations go far beyond ensuring public safety. There is and never was any threat to the public from these activities and the work that the F&W board did more adequately addresses the concerns.

So why then, restrict **MY** way of life because a few oppose it with no real reason other than they dislike it. The way in which we are treated as hunters in Vermont by the anti hunting community is a direct attack on who I am and my way of life.

I was introduced into hound hunting by my daughter when she was 9 years old. She went hound hunting with a friend of ours and fell in love with the hounds and their work. At the end of that season he gave her a hound pup to raise and build her own pack around which she did over the next 9 years until she went off the college to pursue a career in outdoor leadership, likely in part from the love the outdoors she gained over this time. Not only did she fall in love with the hounds, but our entire family did. They are the most loving, dedicated, pets in which we have ever owned. They truly are part of our family and we love to work with them as much as they do.

Also over this 12 year period our family has developed some of our best friends through the people that we have met along the way that share this passion of ours. We enjoy introducing both kids and adults to **our** passion.

My question for you all is quite simple really, why is it that my lifestyle as a Vermont hunter is constantly judged by others that have no real reason other than they dont like it. Why is this legislature catering to these activists that don't have any science or data stating that these activities should be stopped or restricted to the point that we can't possibly continue them? Yes, they make a lot of "noise" , but there are many of us that value **our Vermont way of life, values and who we are!**

Thank you for your time.

Jeffrey Disorda
2219 Frazier Hill
Benson, Vt 05743

From: billsamanda46@gmail.com <billsamanda46@gmail.com>

Sent: Monday, October 16, 2023 10:40 AM

To: Charlene Dindo <CHARLENE@leg.state.vt.us>

Subject: [External] Written Statement Re: Trapping and Coyote Hunting

[External]

To whom it may concern,

I would like to submit the following comment on the upcoming hearing on trapping and coyote hunting. Please confirm receipt of my comments. Thank you!

Good morning,

My name is Amanda Bills, I am a Vermonter, born and raised for many generations. I am not a writer, or speaker. My family has been hunting this beautiful state for many, many years. I was raised eating wildgame , I love it, I would eat it every meal if I could. I absolutely hate buying meat from the grocery store, I avoid it as much as I can. I love being able to harvest and prepare my own food, and to know exactly where it came from.

I also own hunting dogs. They are not only my hunting companions, but my family, my children, my best friends, my blood sweat, and tears! They also happen to be exceptional conservation tools like no other! It would absolutely break my heart and theirs, if they were not able to do what they have been born and raised to do! Not only heartbreaking, but life changing! My whole life revolves around my dogs! Really! I plan vacations specifically so that they can go with me and enjoy genetic fulfillment at its finest!

It is so incredibly sad to me that every time us Vermonters turn around, we are being bullied and made to feel like criminals, for trying to enjoy these activities that are daily life to us. So incredibly sad to me to have to keep writing letter after letter, and not know if anyone even reads them. Please do not let my words fall on deaf ears. I wish continued unfettered support of a Vermonter's ability to engage in the long-standing traditions and heritage of hunting in its various forms.

Sincerely,

Amanda Bills

802-380-2154

billsamanda46@gmail.com

From: Ryan Kilborn <rkilborn@meadowsendco.com>
Sent: Monday, October 16, 2023 10:52 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Testimony on S.201/ACT 159 & S.281/ACT 165

[External]

To whom it may concern,

I am writing in support of S.201/ACT 159 & S.281/ACT 165. Trapping provides an important predator control tool and has long been a tradition for many Vermonter's who use this as a recreational pass time and opportunities to be in the outdoors. This is the same for hunting coyotes with hounds. As a Vermonter I feel its important to keep these traditions and values for those whom enjoy the activity available. Its very discouraging how Vermont hunters and trappers are constantly under attack by a group of individuals that don't share the same beliefs and values, and because of this they try to degrade and belittle our character, value, and ethics that have been long passed down from generation to generation raised in this state.

Please vote to keep opportunities available for our citizens that cherish the outdoors and the traditions and that have been passed down through the generations.

Thank you for your time

Ryan Kilborn



*"Over 75 years of Forestry
Experience"*

Ryan Kilborn
Northern Regional Forester

Office : 603.526.8686
Mobile : 802-323-3593
Email :
rkilborn@meadowsendco.com

420 Main Street
PO Box 966
New London, NH 03257

www.meadowsendco.com

From: VT Bear Hound Association <vtbearhoundassoc@gmail.com>

Sent: Monday, October 16, 2023 10:55 AM

To: Charlene Dindo <CHARLENE@leg.state.vt.us>

Subject: [External] coyote hunting and trapping

To whom it may concern,

My name is Doug Devost JR, I was born and raised here in VT and I am a resident of Brownington VT. I am writing today to address the upcoming committee meeting on the 19th.

I have been a lifelong trapper and coyote hunter, this way of life we have here in Vermont is not just a hobby or sport it is a way of life/tradition/passion. We need to get away from these anti groups trying to take away our traditions and lifestyles just because they don't understand or like it. Every bit of science proves we need hunting and trapping to regulate wild animals. Anyone who thinks letting the wildlife keep itself managed is cruel and uneducated to how that really happens. The more rules and regulations you put on these lifestyles and traditions the less people are going to be able to justify continuing doing them.

To sum things up, my sons, family, friends and myself 100% oppose any more trapping and hunting rules and regulations not suggested by science, biologist, and warden service. We need to put a stop to this ongoing fight against the outdoors men and women from the antis.

From: Bob Frenier <bobfrenier@gmail.com>
Sent: Monday, October 16, 2023 10:56 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Anti-hunter/trapper bigotry

Please convey to the committee you serve that long-time Vermonters like me feel the dehumanizing sting of the anti-male assumptions behind further restrictions on hunting and trapping. That is bigotry, pure and simple, and the casual manner in which the long-standing customs of men, especially rural men, are disregarded sows the seeds of real animosity.

Such bigoted ignorance is especially prevalent when Democrats and Progressives discuss the culling of the coyote population. Don't progressives realize that, for anyone with pastured animals like goats and sheep, coyotes are predators that need to be killed whenever and wherever they can be found? I think it's pretty obvious that determined ignorance is at work here.

Regards,
Bob
Bob Frenier
802-685-4900

From: Barb Nolan <bnolan@myfairpoint.net>

Sent: Monday, October 16, 2023 11:00 AM

To: Charlene Dindo <CHARLENE@leg.state.vt.us>

Subject: [External] Comment on upcoming hearing on trapping and hunting coyotes!

[External]

Good morning, I would like to submit a comment on the upcoming hearing on trapping and hunting coyotes. My statement is:

The N.E.K. is overrun with Coyotes so they need to be trapped and hunted. Do people like coyotes over deer? If you keep reducing the trapping and hunting of Coyotes we will not have any deer left up here. Coyotes kill so many fawns every year up here that our deer population is low. My husband puts out trail cameras and have many pictures of Coyotes killing and hauling off new born fawns. Once people see just one of these pictures it will change their minds about protecting these animals. Thanks for listening. Barb

From: Dennis Fournier <dennisfournier6@gmail.com>
Sent: Monday, October 16, 2023 11:03 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] S.201 and S.281

Both these bills were passed almost unanimously by the Senate. It's apparent that the traditions of the Vermont hunting community need to be upheld. The bills that were passed pose no unreasonable threat to the people of Vermont. The anti-hunting community will stop at nothing until they achieve their goal of eliminating hunting completely. The hunting community has a voice to protect what is been handed down by our Vermont Constitution.

-----Original Message-----

From: Travis Paquette <TPAQUETTE@gmavt.net>

Sent: Monday, October 16, 2023 11:20 AM

To: Charlene Dindo <CHARLENE@leg.state.vt.us>

Subject: [External] Comment for the committee on over regulating for hunting and trapping

To the committee I'd like to ask, why would you support these over regulations on trapping and coyote Hunting when it has absolutely no effect and/or danger to the general public by these two activities from which you are trying to over regulate these activities that are part of my heritage as Vermonter and a person and I ask you not to strip them or regulate them on me and my fellow Vermonters, as there is no need for it. some of my fondest memories are hunting with my family and learning how to enjoy the outdoors through the eyes of hunting and trapping. while you're over regulating them will strips me my ability to be able to pass that on to my son and someday grandchildren. family and friends are everything .I also asked do you support the verbal abuse that we take as hunters and trappers by being called the worst type of humans among other outlandish names and for what. This all feels like I'm a less valued person because of what I enjoy. Is that the case? These supposed over regulations are historic and go way beyond demonstratable need . I ask that you to SUPPORT the regulations put forth already, by the fish and wildlife and not add to them!

Sincerely

Travis Paquette, Addison County resident Sent from my iPhone

Jenny Carter

2099 N Randolph Rd.
Randolph Center, VT 05061
jennycartr@gmail.com

Re. Proposed Trapping Definition in Proposed Rule 23-P15
Date: 10/5/2023

Dear LCAR members,

By way of background, I am a Vermont attorney, former environmental and consumer advocate, and currently am a professor at Vermont Law and Graduate School. One of my courses teaches students about legislation, regulation, separation of powers, and judicial interpretation.

I am writing on my own behalf to encourage you to object to the following proposed change to the Definitions section of Appendix § 44. and ask the Board to remove it.

3.20 "Trapping" means to hunt, take or attempt to take fur-bearing animals with traps including the dispatching of such lawfully trapped fur-bearing animals.

An objection to this definition change can be made under 3 V.S.A. § 842 b) under the following criteria:

- (1) a proposed rule is beyond the authority of the agency;
- (2) a proposed rule is contrary to the intent of the Legislature; and, likely
- (4) the agency did not adhere to the strategy for maximizing public input prescribed by the Interagency Committee on Administrative Rules;

Summary

F&W's proposal to include "hunt" in its definition of "trapping" is contrary to existing statutes, creates a nonsensical sentence when read in conjunction with the statutory definition of the words "take and taking", and is inconsistent with statutory requirements that recognize hunting and trapping as distinct activities, such as land posting and licensing requirements.

To say that this is a "housekeeping" measure when it does not add clarity, is to beg the question, why amend this definition? Why is it important to F&W to say that trapping is a form of hunting? The only reason that I can think of is not "housekeeping" at all, but to try to gain greater constitutional protections for trapping and weaken the Legislature's authority to regulate trapping (for example, to prevent the Legislature from limiting trapping to nuisance animals and scientific research). It also may have the (unintended ?) consequence of leading to invalidation of the state's law that allows a landowner to prohibit trapping on their property without posting. Both Commissioner Herrick and Secretary Moore have stated their belief that Section 67 of the Vermont Constitution's hunting protections apply to trapping as well. But, these are major policy and constitutional questions and are not the Board or Agency's job to decide. Constitutional questions are for the Supreme Court to decide and major policy questions are for the Legislature to decide.

Finally, there was no notice of this major change in the Board's Rule Summary to the Secretary of State, the Summary on their website, or to the public in their public presentations (see videos).

Based on the reasons above and explained further below, LCAR should formally object to the proposed change in definition.

Analysis

Why does the department want to change the definition of trapping to include hunting? (**3.20 "Trapping" means to hunt, take or attempt to take fur-bearing animals with traps...**) Why is "hunt" necessary in the definition? How does it add clarity to the existing regulations? The definition of trapping already includes to "take", which is broader than just hunting (see definition below). Adding the word "hunt" to the 3.20 definition of trapping is non-sensical when read with the definition of "take". It is redundant.

Since adding the word "hunt" will not create clarity in the Board's rules, I believe the reason the Board and Department want to amend the definition is to try to influence the interpretation of the Vermont Constitution Section 67 which establishes certain protections for hunting, fowling and fishing. Both Commissioner Herrick and Secretary Moore have stated their belief that trapping is covered by Section 67 even though it notably does not include trapping.

Conflict with state statutes-

Nowhere in Vermont's statutes is hunting defined as including trapping and the proposed change is contrary to state statutes which clearly view hunting and trapping as separate activities.

There are **at least five places in the Vermont statutes** that indicate hunting and trapping are separate & distinct activities :

1. the requiring of separate hunting (§ 4254) and trapping licenses (§ 4254a), each of which have their own requirements, including separate hunter and trapper education courses.
- 2.10 V.S.A. §4707 Traps; notice. Contrary to hunting, this section requires trappers to notice a landowner before placing a trap and allows a landowner to prohibit a trapper from trapping without posting.
3. 10 V.S.A. § 4708. Interference with hunting, fishing, or trapping
4. The statutory definition of "take and taking" , which includes both hunting and trapping in the definition, indicates that hunting and trapping are two separate activities. § 4001. Definitions,
5. **Act 159 (2022) p. 3 Sec.1**

(d) As used in this section, "trapping" means to take or attempt to take furbearing animals with traps, including the dispatching of lawfully trapped furbearing animals.

F&W Rule that demonstrate hunting & trapping are separate activities

Appdx. 10 § 14. Posting against hunting, fishing, or trapping...c) state that hunting, fishing or trapping or any combination of the three are prohibited or forbidden;

For the reasons above I believe that LCAR should object to this part of the proposed rule and request that the Board remove it. Please feel free to reach out if you have any questions.

Sincerely,

Jenny Carter

Vermont Constitution § 67. [Hunting; fowling and fishing]

The inhabitants of this State shall have liberty in seasonable times, to hunt and fowl on the lands they hold, and on other lands not inclosed, and in like manner to fish in all boatable and other waters (not private property) under proper regulations, to be made and provided by the General Assembly.

§ 4001 (23) Take and taking: pursuing, shooting, hunting, killing, capturing, trapping, snaring, and netting fish, birds, and quadrupeds and all lesser acts, such as disturbing, harrying, worrying, or wounding or placing, setting, drawing, or using any net or other device commonly used to take fish or wild animals, whether they result in the taking or not; and shall include every attempt to take and every act of assistance to every other person in taking or attempting to take fish or wild animals, provided that when taking is allowed by law, reference is had to taking by lawful means and in a lawful manner.

From: Joe Church <joechurch1947@gmail.com>
Sent: Monday, October 16, 2023 11:29 AM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Hearing on Trapping and Coyote Hunting

I have been trapping and hunting in Vermont for 65 years now and am really disappointed in the current legislators attitude towards hunters and trappers. It's hard to believe that our legislators would throw our Fish & Wildlife Department and the Fish and Wildlife Board under the bus. Taking testimony from out of state antihunting activists brought in to boost their numbers. Our F&WD is among the best in the nation, and the Wildlife Board has a wealth of knowledge and experience encompassing the entire state. How, in good conscience can the legislators condone the behavior of the militant activists? Vermont has always been a Live and let live state where people can go about their own business, even if we don't agree, we can coexist.

Thank you for giving me the opportunity to have my voice heard.

Lloyd M Church
Cambridge VT 05444

802-316-0053

From: Jennifer Adsit <lightfarm@gmavt.net>

Sent: Monday, October 16, 2023 11:32 AM

To: Charlene Dindo <CHARLENE@leg.state.vt.us>

Subject: [External] Comment on Department of Fish and Wildlife 10 V.S.A. Appendix § 44, Furbearing Species

Importance: High

To the members of the Joint Legislative Committee on Administrative Rules:

I am writing to let the Legislative Committee on Administrative Rules know I expect the upcoming October 19 hearing public comments to be limited to the scope of LCAR's responsibility.

In the last two years a legislature-appointed task group was charged with studying and recommending changes of Vermont's Fishing and Hunting Regulations to the Fish and Wildlife Board and the Fish and Wildlife Department. The resulting proposed changes have been vetted as required in public hearings.

I understand the charges of the LCAR are 1) to verify correct process has been followed in the development of the proposals and 2) to check that the products of the process, the currently proposed regulatory changes, match documented legislative intent.

I note the responsibility of LCAR to keep public comments within the frame of these responsibilities on October 19th. We have a democratic process in place for making regulatory revisions; I expect your committee to follow it.

I do not support consideration by LCAR of further widely-ranging comments which should have been made in the public hearings, or any temptation to now second guess legislative intent.

Please support the proposed changes to Vermont Fishing and Hunting regulations as presented. I have long appreciated the excellent science- and fact-based work of Vermont Department of Fish and Wildlife professionals and by the members of the Fish and Wildlife Board.

Thank you.

Jennifer Adsit

Charlotte VT

From: John Houston <bearbig@att.net>
Sent: Monday, October 16, 2023 12:01 PM
To: Charlene Dindo <CHARLENE@leg.state.vt.us>
Subject: [External] Hunting rights

I am against any and all legislation that attempts to limit hunting and trapping in Vermont. These are traditional pastimes that Vermonters have been doing for centuries. I want the LCAR to honor the legislative intent drafted for S 201.

Sincerely
John Houston
Milton Vt. 05468

