

Dear Chair Sirotkin, Vice-Chair Clarkson, Senator Balint, Senator Brock, and Senator Hooker,

My team has learned that Senator Brock is proposing the following:

1) remove mastodon and mammoth, 2) remove the 200g limit for antiques and firearms/knives exemptions, and 3) change the antique standard from 100 to 50 years.

Please know that doing *any* of these changes would not only set Vermont FAR apart from the 11 other states plus DC, but it would do more harm than good and would, thus, kill the bill-- kill 8 years of advocacy and discount the voices, science, data, and research of *thousands* of Vermonters' and experts from around the world and on the ground in Africa. I have attached a document illustrating why mammoth is included in other states' legislation and why Vermont must be consistent with that. The weight limit is imperative and is in guidelines with what the Federal government is recommending for state action and removing it would make full tusks and full ivory statues legal---- in this way trade in these large pieces would flow into Vermont-- this is the last thing we want to do!

We have bent so very far to appease the opposition and what the House created, while not ideal for us, bends as far as we possibly could go-- any further tampering and Vermont would then set the bar to a new low, potentially influence the many other states with pending legislation to weaken their laws, perpetuate the slaughter, and--worse for Vermont--open up Vermont to the very trade that business owners like John Martin in South Burlington are begging to end.

I am not sure more what we can say, share, or do to ask you *with all respect* to oppose this incredibly damaging amendment that would essentially kill the bill. Please swiftly vote H.99 out of your Committee as is. If you wish to have further scientific data and reasoning on any of our arguments, please let me know and we will deliver that immediately.

Thank you,

Ashley McAvey

Founder, Vermont For Wildlife, representing 450-all volunteer citizens from around the State



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### **Talking Points – Why Mammoth Ivory Should Be Included in S.7890/A.10143**

**Mammoth and mammoth ivory:** Mammoth is a species that has been extinct for 10,000 years. Mammoth and elephants are from the same order (Proboscidea). Because of the geographic range in Alaska and Siberia, mammoth tusks have been well preserved and provide high quality, carvable ivory<sup>1</sup>.

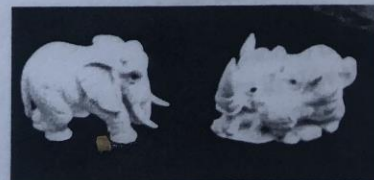
**Regulations/laws:** Because mammoth are an extinct animal, there are no federal laws or regulations concerning, or permits given for, importation and domestic trade of mammoth ivory. Relevant laws, such as the Endangered Species Act, the African Elephant Conservation Act or the Asian Elephant Conservation Act, do not include mammoth ivory.

**Enforcement challenges and loopholes:** It is very difficult for non-experts, including consumers or enforcement officers, to distinguish mammoth ivory from elephant ivory. Since there are no federal permits required for sales of mammoth ivory, sellers can claim that their items are made of mammoth without documentation, while in fact the items can be made of illegal elephant ivory. Many of the stores that carry elephant ivory items for sale often also sell mammoth ivory.

Federal and state agencies have stated their frustration about distinguishing legally acquired ivory from illegal ivory and that legal ivory trade can serve as a cover for illegal trade<sup>2</sup>. For instance, Hawaii's Department of Land and Natural Resources, in its written testimony to the Hawaii Senate Ways and Means Committee in March 2014, stated that "Without laboratory analysis, it is impossible to identify ivory as to its age or even the animal type, especially if the ivory has already been carved. Fraudulent documents are frequently used to claim the ivory is pre-1990 origin, or of another species."<sup>3</sup>

Exempting mammoth ivory from S.7890/A.10143 would create further challenges and burdens for enforcement agencies and provide significant loopholes for criminals and unscrupulous sellers to sell illegal ivory, masking under "mammoth ivory" to unsuspecting customers.

Below are photos of items made of elephant and mammoth ivory. They should highlight the lookalike-ness of both types of ivory and underscore the need to include both elephant and mammoth ivory in S.7890/A.10143.



<sup>1</sup> "Identification guide for ivory and ivory substitutes", Edgard O. Espinoza and Mary-Jacque Mann, by WWF, TRAFFIC in cooperation with the Secretariat of the Convention on International Trade in Endangered Species.

<sup>2</sup> <http://www.fws.gov/international/pdf/factsheet-ivory-crush-qa.pdf> (page 1)

<sup>3</sup> Author's emphasis