

Testimony of Robert Mullen re S.321 dated February 26, 2020

Reside: West Bolton, Vermont (on the Bolton Conservation Commission, Town Forest Steward, and Animal Control Officer).

Education: B.S. Biology from UVM

Relevant professional work: 26 years as a nationally known wildlife artist/naturalist. 15 years working with the Smithsonian's Arctic Studies Center at the National Museum of Natural History in Washington D.C. as an outside consultant/curator on boreal forest projects. As an adjunct to that work, I've run more than 20 wilderness expeditions from Labrador to Alaska, mostly by canoe (and have been charged by a grizzly: <https://www.youtube.com/watch?v=2otTBEtkWpg>).

I grew up deer hunting and fishing in Vermont and remain a strong supporter of most hunting and fishing.

Thank you, Chairman Bray, and to the committee for this opportunity to address you on this issue. Having listened to testimony before the House Natural Resources Committee last year on the wanton waste bill and last week on H.581 and H.582, amalgamations of which are all included in S.321, and to testimony on S.321 before this committee from last week, several points stand out.

1. To start near the end (and stray from the above), I was particularly struck with the component of the bill that was new to me and with which I most heartily agree: Sections 20 and 21, the creation of a **fish and wildlife area access license**.

We all benefit from healthy ecosystems, the Fish & Wildlife Dept does important work to protect them, and we should all share the costs. A fish and wildlife area access license strikes me as not only a potentially significant source of more reliable funding, but one that is inherently more conscious for the non-hunting/fishing public than having varying amounts taken from the General Fund in the State budgeting process. This could well have spin-off benefits. I'm no psychologist, but I can easily imagine that taking responsibility for pro-actively helping to pay for the environment that we all both enjoy and need could have significant social benefits. If I did not already have a hunting license, I would most happily pay this license fee.

2. Hopefully this might serve as a model for further broadening cost sharing while lessening reliance on the General Fund. This funding suggestion segues into the inclusion of the combined variations of H.581 and H.582 that are addressed in **Sections 14 and 15**.

With some puzzlement, I heard the FWD Commissioner characterize these sections as unjustly critical of the Department and surreptitiously anti-hunting. At the risk of bulldozing over details (wherein the Devil resides), these provisions struck me as basically putting our laws where the Department's practice, in large part, already is (the Commissioner agreed with that last) and in so doing, simply ensures that future administrations and FWD Commissioners continue to manage on a scientific, ecosystem health basis rather than simply on a game species population level basis (as is theoretically possible under the current statute: VSA Title 10 Subchapter 2 §4081(c) "An abundant, healthy deer herd is a primary goal of fish and wildlife management."). That would certainly include consideration of a wide range of wildlife interactions with the public (arguments about how much the Department does or doesn't do in that regard can be left to later as they don't seem determinative here), but it seems to me that only the most "Disneyesque" misunderstanding of modern ecological science could result in such a change being "anti-hunting." If anything, it could, with some educational effort, solidify the public's understanding

of the critical role hunting plays in ecosystem management, most especially concerning white-tail deer and elevate hunting's image among the non-hunting public.

Furthermore, an important aspect of this issue has been largely overlooked in the discussions I've heard so far, though I know Department biologists are keenly aware of it. Much discussion of activities other than the Department's tradition hunting/fishing/trapping focus have highlighted "wildlife watching" as the standard bearer of "non-consumptive" activities along with competing statistics over their respective popular participation levels. However, such a narrow focus on our "uses" of wildlife misses the most important reason for wildlife: healthy ecosystems. The interaction of flora and fauna on the land is responsible for nutrient cycling and transport, food production, soil retention and productivity, pollination, population control, oxygen, carbon dioxide, clean water, carbon balance ... the list is long and exhaustive. Such "ecosystem services" are provided 24/7/365 at no cost to us other than not messing things up. Our vertebrate animal species are the most charismatic and "relatable" components of these critical services. Ecosystem services, and wildlife's indispensable role in performing them, are important to explicitly acknowledge (or to at least be well aware of) in planning and legislating such as this because they are not minor adjuncts tagging along behind senior citizens on an Audubon bird walk; they are critical to our quality of life if not life itself.

3. Section 13; banning wanton waste. This principle of the North American Model has been a no-brainer for over 100 years and yet, to date, Vermont, by not passing legislation or rules stating our collective revulsion of it, has opted to publicly tolerate wasteful "thrill" killing. I find this puzzling since such behavior can only sully the image of hunting in general among those who were not brought up in Vermont's hunting tradition; and frankly, it sullies the image of hunting a bit even for some of us who were. That stigma gives me a little pause for my new neighbors to see me go out hunting (*coming back from a photography stand in full camo, I met a neighbor going out for a walk in our town forest – we both live on its edge – and he said, "Oh, I didn't know you were one of them." I was taken aback*). Just imagine how little interest a new Colchester resident from New Jersey will have. There has been a significant decline in hunting participation over the years. I believe there have been some conflicting quibbles about whether hunters are now 10% or 16% of the population: suffice it to say, that when I was a kid, there were 300,000 people in Vermont – total – and the Department sold 100,000 in-state hunting licenses. Whatever statistic you want to believe now, it isn't 33% of the entire population. It is still a lot of people but increasing participation among young and more suburban residents will require improving the image of hunting – and that will require at least not condoning the often-gratuitous barbarities that are inflicted on some wildlife for no practical reason whatever. We should have a rule or a law that clearly states that we as a people do not approve or condone such disrespect.

That brings me to what I see as the crux of the topic: coyotes and crows. The basic argument against including coyotes was that it would create a "de-facto season." The logical inconsistency here is striking. This argument would hold some water if the proposed measure required using the meat or hide. However, the language of the bill clearly includes "or legally disposed" as an option. I all you need to do is retrieve and dispose of the body; you do not need to use it in any way. How is that creating a "de-facto season?" You can shoot a worthless summer coyote and

just dispose of it. It creates extra work; you wouldn't be able to just shoot as many coyotes as you wish and leave them to rot where they fell anymore. Is that now the objection? I hope not.

Crows were excepted for an even more bizarre "reason." They are excepted from a law prohibiting wasteful, pointless killing because, as the Commissioner said, "no one eats them." In other words, it is wasteful and pointless to kill them. This is circular reasoning at its bureaucratic finest. I have great and profound respect for the Department. I respect the Commissioner too as an intelligent and well-spoken administrator who very often shows an able grasp of issues. I find myself agreeing with him often enough, including some of his comments on this legislation. This was not such an instance. As all of the members of this committee are I'm sure well aware, crows can be an agricultural issue and separate statutes allow for protection of crops by lethal means. The same of course applies to coyotes.

4. **Ending near the beginning** as is only appropriate given my beginning near the end: **Section 1:** I can well imagine that with increasing issues with climate change, invasive species and other such challenges, the Commissioner may well find it helpful to have increased latitude of action to deal with problematic terrestrial species as he currently has with aquatic ones. That said, the language seems excessively permissive. I would hope that the committee will at least seriously discuss and consider changing the most problematic "...in any manner..." (Section 1, line 11) to something like "...any legal manner...".