

House Committee on Natural Resources, Fish & Wildlife

Vermont Federation of Sportsman's Clubs Chris Bradley, President & Executive Director

Testimony on H.167 (v.2)

April 7, 2021

My name is Chris Bradley, and I am the President and Executive Director of the Vermont Federation of Sportsman's Clubs (VTFSC). In the interests of full disclosure: I am a registered lobbyist for the VTFSC, and I have served in a completely unpaid capacity as President & Lobbyist for approximately 7 years I have served the VTFSC.

To begin: I thank Chair Sheldon and the members of this Committee for allowing the Federation to give testimony today on H.167.

If you are not aware of the VTFSC, we have existed in the State of Vermont since 1875 and we are comprised of approximately 60 member clubs across Vermont. Those clubs are predominantly Fish & Game clubs, with approximately 12,000 members overall. The VTFSC therefore directly represents a broad canvas of outdoor sporting interests, covering all manners of hunting (which includes trapping), fishing and shooting sports, and we recognize that these types of sporting activities represent the 2nd largest revenue source for Vermont behind the skiing industry.

We formed in 1875 to specifically address the issue of the near eradication of White Tailed Deer in Vermont from over-hunting. Obviously: Our efforts were successful, and as a direct result of our actions: The VTFSC played a very active role in the creation of Vermont's Fish & Wildlife Department.

We are, from our roots up, an organization that deeply cherishes Vermont's rural nature, landscape and wildlife, we highly value our sporting heritage and traditions, and we actively work to protect these natural resources so that these priceless things are effectively managed and conserved into the future.

To give you a few brief examples of what we do: We contributed \$5,000 to help the Stowe Land Trust to expand their holdings to conserve natural habitat and provide public access. We contributed \$10,000 to the purchase of land to expand the Kehoe conservation camp. We fund Operation Game Thief: A program that facilitates the reporting of F&W Game infractions in addition to providing monetary rewards for reports, and by all accounts this is an exceptionally successful program.

Every year the VTFSC sponsors a dozen or more Vermont youth to attend Green Mountain Conservation Camp, without regard to their income. We feed money to our 501(c)(3) sister organization, The Federation Fund for Conservation and Training, and then draw off thousands of dollars annually in grants for sporting purposes, funding everything from noise abatement projects to gun safes and archery equipment. When we became aware of a land-locked Wildlife Management Area (WMA) called Blueberry Hill, and we then became aware that a piece of land was coming available that would allow public access to that WMA, the Fund purchased that land; we spend time and money to keep it free of trash and maintain its road; and we also pay the annual taxes on it: All for the free benefit of the public at large who would not otherwise be able to access this valuable natural resource.

When it appeared that the rebuilding of the Salisbury Fish Hatcher was in jeopardy of not being funded due to budget constraints: We worked with the Department of Fish & Wildlife to bridge that shortfall by fully supporting

an increase in the cost of licenses - which we knew would be borne entirely by sportspeople who buy those licenses - to insure that this facility could continue it's vital work. And so it has. While complaints may have been raised about the increase, as President of the VTFSC I am not aware of a single one. Sportspeople recognized the critical need and they opened their wallets.

I mention these examples not in any attempt to garner recognition or praise, I raise these to underscore the fact that the VTFSC is far more than an organization that lobbies and advocates for the rights of Vermont's sportspeople. We are an organization that is keenly aware of conservation; we are very focused on protecting Vermont's wildlife; we are fully aware of the role that sportspeople play in helping to manage that wildlife; we put our money where our mouth is; and we honor and support the continuation of Vermont's outdoor traditions and sporting heritage so that these things may continue to be enjoyed by all, and we have been quietly doing all that and more for 146 years.

Regarding H.167. Chair Sheldon I realize that this is your bill, and as this is my first appearance before you and this Committee, I hope for a positive interaction, as I believe our organization can provide valuable input to this Committee. To that end, I place myself at your disposal if we can be of any assistance.

To the point: We believe that the primary function of Agency of Natural Resources (ANR) is to provide a holistic, science-based approach in handling the natural resources of Vermont that are held in the public trust, and we believe that ANR, and it's Departments, are doing an outstanding job of accomplishing that momentous task. We therefore have some questions that we hope we might get answers to that relate to the need for the Environmental Stewardship Board (ESB), and I hope you might indulge me by allowing me to ask them.

Section 1(2), page 3, lines 4-7

The purpose of this section appears to be a justification for the need of the ESB, with a concern expressed that the respective advisory or regulatory boards "***are focused on specific issues or have limited authority***".

Across the 3 departments of ANR, we understand that there are approximately 20 advisory or regulatory boards. Each of these boards are generally focused on very specific areas of responsibility, with each of these areas of responsibility requiring different skill sets, knowledge and expertise.

Are there examples of situations where a board, being focused on specific issue(s), have acted in a manner that is detrimental to the mission of ANR or the missions of a Department or another board?

We further understand that there is overlap between some departments and boards given their respective areas of responsibility with such topics such as climate change, flood resilience and invasive species management, but that ANR recognizes this and they apparently very adroitly handle cross-agency communication and cooperation across these boards.

Are there examples of where ANR has failed to properly handle cross-agency communication and cooperation, such that there is an obvious need for an oversight board?

Section 1(3), page 3, lines 8-12

From a citizen's perspective, this section seems to criticize the manner in which ANR handles the public input process, suggesting that the fact that the public hearings that are held are typically focused on individual

Department actions, rules or publications, with the suggested "problem" being that there is apparently no public input on "**Agency operations as a whole or comprehensive, long-range policies or goals.**"

Are there any examples of deficiencies in ANR's long-range policies and goals, and if there is an identified deficiency, has ANR been directed to provide long-range policies and goals but failed to deliver them?

Section 1(4), page 3, lines 13-21; page 4, lines 1-3

This section sets the stage for what the proposed ESB will do, but in setting that stage, several inferences seem to be made about the efficacy of ANR. While I concede that there is room for improvement in just about all things, these phrases seem to imply that ANR absolutely needs this ESB to make it better than it already is.

Are there examples of when and where ANR has failed to provide for, or otherwise failed to encourage, greater public involvement and input into the management of those resources?

Are there examples of where a Department, Board or the Agency as a whole is not paying attention to science?

Are there examples of where a lack of coordination in the operations of ANR has been recognized and then brought to ANR's attention, but the issue has not been corrected?

Section 2(b)(3), page 5, lines 8-13

This section states that the ESB will review rules and rule amendments "**...to determine if they are consistent with State goals or policies...**"

Are there examples of rules and rule amendments where ANR, or one of its boards, acted in a manner that was contrary to, or otherwise against, State Goals or Policies?

Section 2(b)(4), page 5, lines 14-19

This section speaks to a responsibility of the new ESB to "**recommend Agency policies, actions, land conservation, or other measures based on the Vermont Conservation Design tool.**" We are familiar with the Vermont Conservation Design tool, and we note that this tool was authored by the Vermont Department of Fish & Wildlife.

Are there any examples of where this tool is not being utilized by the F&W Department or any other ANR department or board, such that an ESB is needed to make recommendations based on that tool?

Section 2(b)(5), page 5, lines 19-21; page 6 lines 1-2

This section speaks to one of the responsibilities of the new ESB, which is to recommend to the General Assembly "**science-based policies for the management of the wildlife of the State**".

Are there examples of where ANR, one of its departments, or one of its boards, failed to create policies based on science, or failed to recommend them to the General Assembly when requested?

Section 2(b)(9), page 6, lines 14-16

This section speaks to the responsibility of the new ESB to have the ability to form specialized stakeholder groups.

Is there some statute or regulation that prohibits ANR from forming "stakeholder groups with relevant areas of expertise" as necessary to obtain information and make recommendations on the management of public resources in the State?

Section 2(c)(1), page 6, lines 20-21; page 7, lines 1-16

This section speaks to the membership of the ESB, and we see that 9 members are being proposed, with 7 members from statewide organizations.

Was thought given to having one of those members being a representative of a statewide organization with sporting interests, given the importance of revenue related to those sporting interests?

Section 2(d)-(f), page 8, lines 11-21

This section speaks to budgetary items.

Whatever the cost associated with funding the ESB is, wouldn't that money be better spent on more scientific expertise within the Agency itself as has been suggested in previous testimony or closing the shortfall from the decline in licensing?

Section 2(h), page 9, lines 19-21; page 10, lines 1-20; page 11, lines 1-13

These sections deal with the machinations required to resolve any potential issues which may arise between the Fish & Wildlife Board and the new ESB.

Prior to making rules changes, we are aware that the Fish & Wildlife Board goes to great pains to hold multiple hearings across the State, such that every interested Vermonter can take part. The Fish & Wildlife Board digests this information, with that input guiding their rule making process, which then needs to be reviewed by LCAR.

Should a conflict arise between the Fish & Wildlife Board and the new ESB, it is presumed that the new ESB would hold more public hearings. Isn't there a very high likelihood that Vermonters, once they have taken time out of their lives to weigh in once, might not be inclined to weigh in again having already said their piece? Or, at best, isn't it likely that the same set of people would just show up again?

Summary

The stated mission of the Vermont Department of Fish & Wildlife is the conservation of all species of fish, wildlife, plants and their habitats for the people of Vermont. While there are undoubtedly some that find reason to criticize the Department for what they have to handle: By almost all accounts the Department of F&W does an outstanding job at its mission, and quoting from a representative of the VWC, "***The fish and Wildlife Department generally does a superb job and has a highly educated and knowledgeable professional staff.***"

We agree.

As we think about our wildlife, I for one seldom if ever think about how animals die in nature. Death in nature does not usually come gently and quietly with animals just going to sleep and failing to wake up although that does happen. Death can naturally come suddenly or it can be excruciatingly slow; it can come in any number of ways; and when it occurs it is likely that only a very few of us might take an active interest in watching such events go to their ultimate conclusion.

In many respects, we see the suggested need for the ESB as almost entirely being related to the conflicts that surround bills like H.411, H.172 and H.316; such that if these bills were to be resolved - which they cannot be to everyone's satisfaction - we may not have had to have a conversation on the creation of an ESB. Or not.

From the sporting side: We see the bills that I just referenced are nothing less than a direct and focused attack on the very traditions and heritage of Vermont. For many Vermonters: Living in harmony with the bounty of nature is more than a way of life, it is part of who they are.

Like it or not, activities such as bear hounding and trapping have been a human activity since before Vermont existed or North America was colonized.

Regarding Bear Hounding: It is fact that human / bear conflicts are on the rise, partly because bears are being effectively managed, partly because of human intrusion into their habitat, and partly due to other things like forced composting. When these conflicts arise, and because bears can be very persistent - especially regarding sources of food - there are generally three approaches. Euthanize the bear; attempt to relocate the bear (which doesn't really work), or introduce the bear to some very determined dogs that will quite literally scare the bear away.

For certain species of animals, it is a simple truth that one of the most effective methods of catching them is by trapping. That is why they are included in Best Management Practices as one of many tools available, and it's why attempts to Ban Trapping become confusing and contradictory when they merely substitute a legal trapping season for an open season based on nuisance.

We take a great deal of exception to the notion that trappers, "***exploit wildlife for their own interests***" as some claim. Not only does this demonize a method of hunting that has been passed down for generations and those who participate in that activity, it truly makes me wonder if a person licensed as a Nuisance Trapper would still receive the same derision and scorn.

Pursuing that notion of "exploiting wildlife" a bit further: If I legally take a deer during season, then I would be participating in an activity of my own interest, and I alone would be benefiting from the meals that I can derive and the use of the pelt. Am I guilty "exploiting wildlife"? Or am I participating in a time honored tradition that plays a small role in how our deer herd is managed, with that role based on science and the considered advice of our experts in the Fish & Wildlife Department?

In considering just deer hunting, there are undoubtedly people who do not want to see any of our deer killed. There may well be people who feel that hunting deer with a modern high-power rifle does not give a deer a "sporting chance". There may be people who feel strongly that using a single-shot black powder rifle is primitive, inhumane and cruel because more modern firearms are available. There may be people that do not like the thought of hunting deer with a bow as it too might be seen as primitive, inhumane and cruel. There may well be people who do not like the thought of using hooks to catch fish; it's all perspective.

Yet: All of those activities are allowed, despite any personal misgivings by some groups of people, because they are effective at helping to manage our wildlife.

While those are all valid perspectives to the people that hold such views, how can all of those disparate views be honored while recognizing the fact that we have a need to effectively manage wildlife, and that effective wildlife management means implementing effective methods of control when needed?

What we have in front of us is nothing less than a clash of cultures, with one or more groups wanting nothing less than a complete and total ban on trapping, or at the very least a ban on trapping for "sport".

Oddly, when we look at a current bills that purports to ban trapping, apparently demanded by 472 Vermonters, we do not see a bill that actually does what it purports to do. We instead see a bill that only kills the concept of trapping for "sport", while still fully allowing trapping to continue under the moniker of "nuisance trapping".

Given that such a bill really doesn't "ban" trapping, how does that bill mollify those that want trapping to completely end, unless their goal is to simply target those who engage in an activity as "sport" that they find abhorrent?

Groups have attempted to make the case that the Fish & Wildlife Board, and by extension the Fish & Wildlife Department, are rogue, out-of-control entities that do not represent the values of all Vermonters. It is suggested that because people on the Board are selected because of their direct experience, knowledge and skills in the outdoors; this somehow makes them suspect as to their motives, that they can only be guided by their own selfish interests, disregarding what is good for wildlife and for all Vermonters.

Nothing could be further from the truth. Instead, we are exceptionally fortunate to have very capable people in these positions; we have extraordinary expertise available from the F&W Department that guides them, and we have extremely dedicated State Employees who work across ANR and the Department of F&W..

Commissioner Porter does an exceptional job, only to be outdone by his team of outstanding and exceptional staff. Again, while we acknowledge that there is always room for improvement, it is difficult to read this bill and not come to the conclusion that some think that ANR is a rogue Agency with rogue Departments and Boards that need to be reined in.

The VTFSC stands in strong opposition to this bill, as we simply do not see the need, and it just seems to add another level of bureaucracy that can only serve to impede ANR, it's operations, it's Departments and it's boards, with such results not better serving Vermonters. That said, we do recognize that all voices can be better heard, so long as those voices do not start from a no compromise position that directly attacks our sporting heritage and traditions, and we would be pleased to be part of any group that is set up to explore how more voices can be heard.

I thank this Committee for your time, I thank you for answering the questions I posed, and at this time I would be pleased to answer any questions you may have of me or the VTFSC.