



To: House Natural Resources, Fish, and Wildlife Committee
Vermont State House
115 State Street
Montpelier, VT 05633

Re: H. 167 – An Act Relating to Establishment of the Environmental Stewardship Board
H. 172 – An Act Relating to Trapping and Hunting
H. 316 – An Act Relating to Control Over Hunting Dogs
H. 411 – An Act Relating to the Retrieval and Disposal of Wild Animals

Position: OPPOSE

Date: March 31, 2021

Honorable Chair, Vice-Chair, Ranking Member, and Members of the Committee:

On behalf of the Congressional Sportsmen’s Foundation (CSF), and as a Vermont resident and avid sportsman, I respectfully urge you to oppose H. 167, H. 172, H. 316, and H. 411. Collectively these bills would result in far-reaching negative impacts on our sporting traditions which are celebrated components of our cultural fabric and enshrined and protected in our State Constitution¹.

Background

Hunting, and our sporting traditions generally, are woven into the cultural and societal fabric of Vermont and have been since well before our state was formed. In fact, for more than 200 years Vermont was the only state in the nation to explicitly protect the right to hunt in its Constitution². These traditions provided sustenance for the early inhabitants of what later became Vermont, and still provide sustenance and a connection to the outdoor world for many of today’s residents. Sportsmen and women were among the first conservationists to support the establishment of what later became the Vermont Fish and Wildlife Department (F&W), and Vermont was one of the first states in the nation to do so in 1866³. Today’s sportsmen and women are also some of our most stalwart champions

¹ Constitution of the State of Vermont, Chapter II, § 67. Hunting, Fowling, and Fishing available at: <https://legislature.vermont.gov/statutes/constitution-of-the-state-of-vermont/>

² CSF Issue Brief on the Right to Hunt, Fish, and Harvest Wildlife available at: <https://congressionalsportsmen.org/policies/state/right-to-hunt-fish>

³ Vermont Fish & Wildlife Department – Department History and Insignia available at:

for strong anti-poaching laws, penalties, and their enforcement.

Vermont sportsmen and women were also among the first to support a license fee structure to fund conservation and supported self-imposed excise taxes on hunting, fishing, and boating equipment to raise additional conservation funds. To this day, F&W is funded primarily by sportsmen and women through this American System of Conservation Funding, a “user pays – public benefits” approach which funds the most successful model of fish and wildlife management in the world. Last year alone, Vermont’s sportsmen and women generated nearly \$15 million dollars⁴ for conservation through this System and contributed still more funds to the conservation efforts of F&W through their taxes and voluntary contributions to the Vermont Habitat Stamp. These critical conservation dollars helped fund a variety of efforts including enhanced fish and wildlife habitat and populations, recreational access to public and private lands, shooting ranges and boat access facilities, wetlands protection and its associated water filtration and flood retention functions, and improved soil and water conservation – all which benefit the public at large, not just sportsmen and women.

Sportsmen and women also contribute significantly to our state economy while engaged in their pursuits. The most recent economic data⁵ indicates that sportsmen and women spend roughly \$442 million/year while hunting and fishing here in Vermont. This equates to approximately \$1.2 million/day being pumped into our tourism and recreation-based economy as a direct result of our sporting traditions. This spending also directly supports over 6,800 jobs and contributes \$50 million/year in state and local taxes.

Beyond the economic considerations, our sporting traditions also play an important role in connecting youth and other Vermonters to the natural world and in educating them on the importance of conserving our natural resources. As active participants in the food cycle we learn discipline, respect for life, and a connection to something much larger than us. It teaches us to think beyond ourselves and see the interconnected nature of the world around us. The shared experiences afield also develop lasting bonds between family and friends that go far beyond the food we provide for our tables.

It is through this lens, and with this background in mind, that I offer the following comments on H.167, H. 172, H. 316, and H. 411.

H. 167 – An Act Relating to Establishment of the Environmental Stewardship Board

CSF is opposed the H. 167, which would create the Environmental Stewardship Board. As detailed in the bill, the composition of this new entity would include members from a wide range of backgrounds and interest groups. Many of these individuals may have no familiarity with, or working knowledge of fish and wildlife management principles, yet the new Board would have the power to block the Fish and Wildlife Board from implementing rules and regulations impacting hunting, fishing, and trapping.

It is our position that this is an unnecessary additional level of bureaucracy to a system that is already

<https://vtfishandwildlife.com/about-us/commissioners-office/department-history-and-insignia#:~:text=The%20Vermont%20Fish%20%26%20Wildlife%20Department,the%20Fish%20and%20Game%20Commission.>

⁴ Vermont Fact Sheet on the American System of Conservation Funding available at: https://congressional sportsmen.org/uploads/page/2019_Vermont_ASCF_Sheet.pdf

⁵ Vermont Sportsmen’s Economic Impact Report available at: https://congressional sportsmen.org/uploads/page/EIR_Vermont_final_low.pdf

functioning in the best interests of our state’s fish and wildlife resources and our residents.

The composition of the Fish and Wildlife Board is already determined by multiple branches of the government, with Board Members first nominated for appointment by the Governor then confirmed by the Senate. The Board also undertakes a public-input process on any rulemaking, which provides ample opportunity for residents to express their opinions on any fish and wildlife matters the Board is considering. Given the multiple checks, balances, and opportunities for public comment that are already a part of the Fish and Wildlife Board’s function and processes, we submit that an additional layer of bureaucracy is wholly unneeded and will serve no purpose other than to lead to obstructionism which will in turn negatively impact the efficiency of the rulemaking process.

H. 172 – An Act Relating to Trapping and Hunting

CSF is steadfast, and unwavering in our opposition to H. 172, which would ban all recreational trapping⁶ and the use of hounds for bear hunting throughout the state.

Trapping

CSF supports the continued use of trapping and regulated take as important components of modern wildlife management in Vermont and is opposed to the attempt to ban trapping through H. 172. The varying instruments used in this practice have all been rigorously evaluated for their efficiency, selectivity, practicality, safety, and animal welfare; and can uniquely address a wide breadth of wildlife management challenges in Vermont. Extensive research on restraining traps has been conducted through annual appropriations from Congress to the Association of Fish and Wildlife Agencies. Since 1996, Best Management Practices (BMPs)⁷ have incorporated trapping methods developed from this research for fur-bearing species. All common trap designs have been field tested for each species and all captured animals were examined by veterinarians. State fish and wildlife agencies, including F&W, have adopted these BMPs through their regulatory processes to ensure that the most effective, selective, and humane technology is being used by their resident trappers. Trapping is a highly regulated activity, and the sportsmen’s community has supported both the vigorous enforcement of the relevant laws and the implementation of severe penalties for any illegalities.

Regarding its role in conservation efforts, trapping is a primary tool in wildlife damage management programs that involves the effective management of invasive and/or nuisance species that cause extensive habitat degradation and threaten ecosystem health. Properly regulated and monitored traps can minimize the potential for non-target capture and can restore ecosystems to better support abundant native wildlife populations. Likewise, trapping is often utilized by professional wildlife managers as a critical research tool for disease control.

Should H. 172 pass, F&W would be forced to hire individuals in possession of a “nuisance wildlife trapping license” to alleviate issues that recreational trappers presently pay F&W for the opportunity to address.

⁶ CSF’s Issue Brief on Modern Restraining Animal Traps is available at:

<https://congressionalsportsmen.org/policies/state/modern-restraining-animal-traps>

⁷ Details on the Association of Fish and Wildlife Agencies’ Furbearer Management and Best Management Practices for trapping is available at: <https://www.fishwildlife.org/afwa-inspires/furbearer-management>

Bear Hunting with Hounds

CSF supports the continued use of hounds in bear hunting in Vermont and is opposed the attempt to ban the practice through H. 172. The use of hounds in bear hunting provides an opportunity for hunters to carefully evaluate their quarry which inserts a level of selectivity not commonly present in many hunting scenarios. Using bear hounds, hunters can estimate the sex, age, and weight of a particular bear prior to determining whether they wish to harvest it. Inclusion of bear hounds in the management strategy is a biologically sound management technique that helps keep bears wild while also reducing human-wildlife conflicts. As noted by F&W:

Without the use of bear hounds for hunting and with the current length of bear hunting season, Vermont would struggle to maintain black bear harvests and the population at appropriate levels. Vermont game wardens routinely recommend bear hounds to property owners who are dealing with nuisance bears, including farmers experiencing significant financial losses due to bears in corn, apple orchards and beehives. In many instances, chasing these bears away actually prevents their death at the hands of property owners. In cases where a problem bear poses a threat to human safety, bear hounds are sometimes used to locate the offending bear. Decades of experience also confirm the department's belief that the pursuing of bears with hounds is humane. Wildlife biologists in Vermont and throughout North America use hounds to capture black bears humanely for vital research projects⁸.

Summarily, CSF supports F&W's assertion of bear hunting with hounds as a critical component of their management plan and therefore views this section of H. 172 as a "solution in search of a problem" and strongly encourages the Committee to oppose it.

H. 316 – An Act Relating to Control Over Hunting Dogs

As detailed above, CSF strongly supports the continued use of bear hounds for hunting purposes and therefore adamantly opposes H. 316, which would require a bear hunter to always keep their hounds in both visual and vocal command distance or face heavy fines and the loss of hunting privileges. As someone who has hunted bears over hounds in both Vermont and Maine on multiple occasions, I can personally attest the impracticality that this bill seeks to mandate. The language in H. 316 would essentially require bear hounds to always be on a leash or check cord. This is not only impractical from a hunting standpoint, but it also poses the potential for serious harm to the dogs as a result. Should this bill pass it would result in a de-facto ban on bear hunting with hounds in Vermont which, for the reasons stated above, CSF strongly opposes.

H. 411 – An Act Relating to the Retrieval and Disposal of Wild Animals

CSF generally supports the principles of "wanton waste" legislation which has been passed in other states to ensure that harvested animals are utilized to the extent that they are able. However, H. 411 is a bill that we cannot and do not support for a number of reasons. In the current bill language, there exists a high level of uncertainty as to the definitions for what would qualify as a hunter "recklessly" failing to retrieve and dispose of the animal. Questions remain, such as: "How long must a hunter

⁸ Vermont Fish and Wildlife Department's 2020 Big-Game Management Plan available at: <https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Learn%20More/Library/REPORTS%20AND%20DOCUMENTS/HUNTING/BIG-GAME-MANAGEMENT-PLAN-2020/BGP-Chapter-3-Black-Bear.pdf>

search for a wounded animal to avoid prosecution under this section?” and “Who determines whether the effort a hunter has put in to retrieve the animal is sufficient?”

Further, the inclusion of crows on the list of covered species gives us pause. The hunting of crows has been shown to alleviate human-wildlife conflict for farmers and including them on the list of covered species in wanton waste legislation is likely to disincentivize hunters from pursuing them. In turn, this would place the burden on F&W to either alleviate farmers’ issues themselves or contract with another entity such as USDA’s Animal Plant Health Inspection Service to remedy the situation.

Closing

In closing, Vermont’s sportsmen and women continue to provide numerous benefits to our state’s economy, conservation efforts, and culture. This suite of bills before the Committee undermines these benefits, and the Congressional Sportsmen’s Foundation strongly opposes their advancement.

Thank you for the opportunity to participate in this discussion. Should you require any additional information please feel free to contact me at any time.

Sincerely,



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