



Act 159 & 165 – Correcting Misinformation

A number of **misleading** and **false** claims about the Department and Board's efforts to conduct a sufficient public process and meet legislative intent for Act 159 and 165 have been presented to LCAR. The following slides provide **clarification** and **factual correction**.





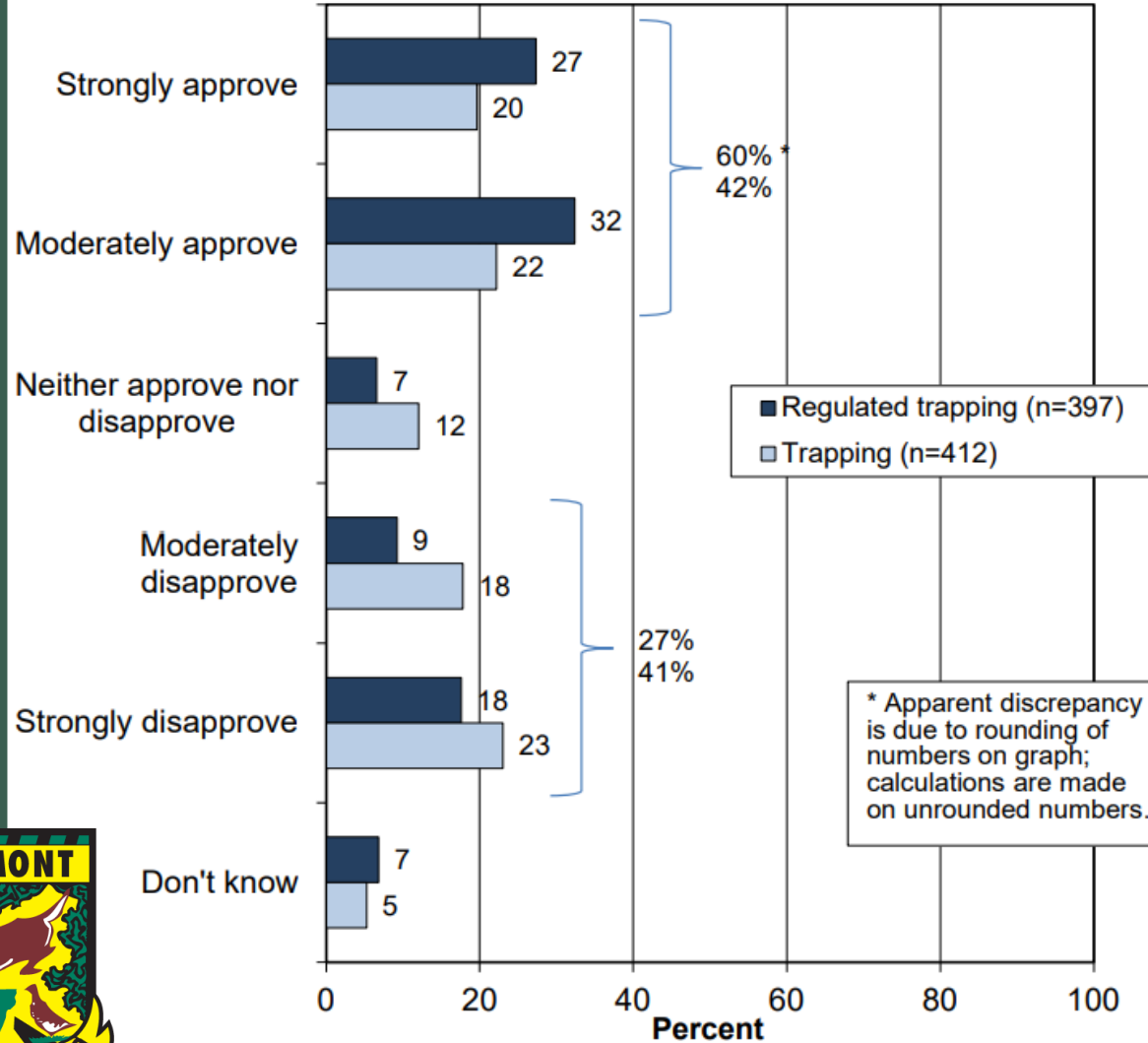
Public Process

False: “The will of the people has not and will not be addressed by Vermont Fish & Wildlife.”

Accurate: Stakeholder working groups, extensively advertised public comment opportunities, and a robust state-wide survey all informed the Department and Board’s proposed regulations for trapping and hunting coyote with hounds. The proposed rules attempt to balance the wishes of two diametrically opposed interest groups.



Do you approve or disapprove of [regulated trapping / trapping] in Vermont?



	Public Hearings (n=129)	E-mails (n=1,124)
Regs. do not need updating	15%	<1%
Suggested changes to proposed regs.	61%	6%
Regs. do not go far enough	36%	80%
Ban trapping/coyote hounding	7%	12%

Misleading: “Both [S.201 and S.281] had tremendous support from the public, but they were not supported by the VT Fish & Wildlife Department.”

Accurate: No systematic measure of general public support was made for S.201 or S.281 as proposed, to our knowledge. Stakeholder groups voiced mutually exclusive positions on both bills as introduced. The Department worked towards regulations that struck a middle ground between these competing interests.



Misleading: “[The] Department... misrepresented [Protect Our Wildlife’s] position in the [Act 159 working group] meeting minutes and on their website.”

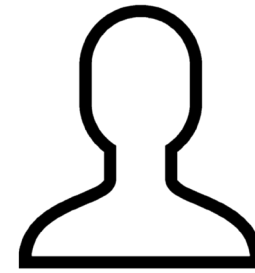
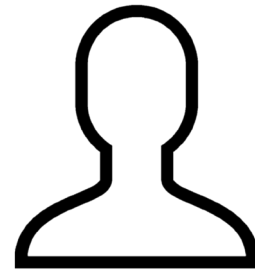
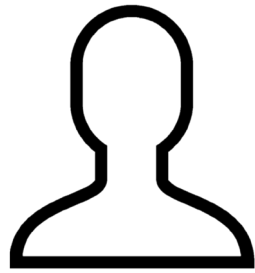
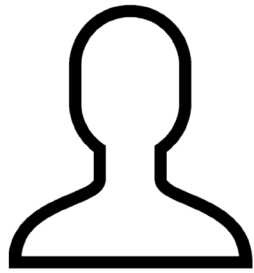
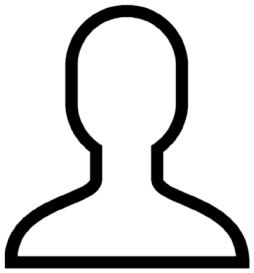
Accurate: Recordings of all working group meetings are available on the Department’s website. Staff worked closely with working group members to ensure accuracy of minutes. Staff refused requests by Protect Our Wildlife to make minutes edits that contradicted the meeting recordings.



Misleading: “Trapping interests were overrepresented 7 to 3 [in the S.201 stakeholder working group].”

Accurate: Both the proposed and final Act 159 working group structure was composed of three (3) individuals representing trapping interests and three (3) individuals representing non-trapping interests. Legislators (2), an AFWA representative (1), and game wardens (2) participated as non-stakeholder members to provide technical advice.





Wildlife Activists (3)

- HSUS (1)
- POW (1)
- VWC (1)

Sporting Groups (3)

- FS (1)
- VTA (2)

Stakeholder Participants



Game Wardens (2)

Expert Participants



AFWA Rep (1)

FW Board (2)



Legislators (2)





Act 159 Legislative Intent

Misleading: “This substantial change [that trapping means to hunt, take or attempt to take a fur-bearing animal with a trap] was never discussed in the working groups, public hearings or Board meetings.”

Accurate: The definition of trapping in section 3.20 of the rule has been in the proposed rule for months prior to the Board’s vote to send a final version to LCAR. At no point until August 2023, after the Board’s public comment period had closed, did any stakeholder group or member of the public take issue with this definition.



Misleading: “[The Board’s proposed rule for dispatch includes a] loophole waiting for the Association of Fish & Wildlife Agencies’ recommendations (that currently allow bludgeoning, stomping on trapped animals, etc.)”

Accurate: The Board rules stipulate gun, muzzleloader, bow or crossbow as the only legal methods of dispatch. The S.201 working group agreed that the Department and Board would revisit dispatch once AFWA recommendations are available.



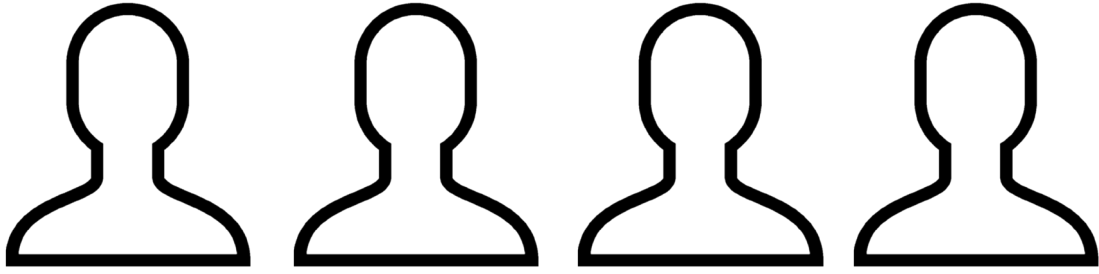


Act 165 Legislative Intent

Misleading: “This Act [165] has a very clear legislative intent [to minimize conflict and damage from hounds pursuing coyotes] that’s being ignored by Vermont Fish & Wildlife.”

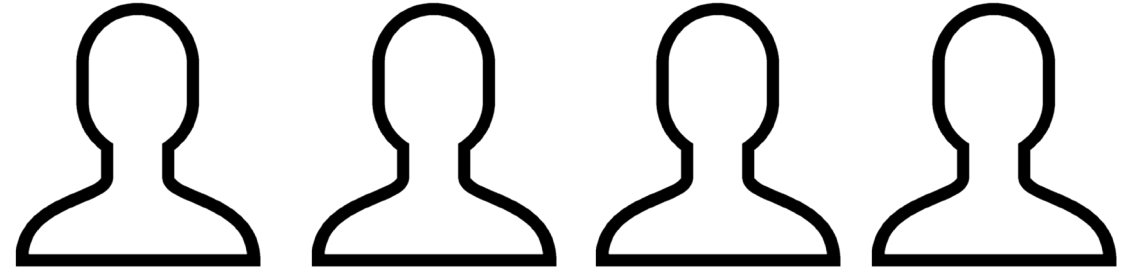
Accurate: The Department and Board believe our proposed rules will minimize conflict and damage from hounds pursuing coyotes. Our proposed rules attempted to find a middle ground between opposed stakeholder groups. The fact that they do not conform to one group’s recommendations is not evidence that they ignore the legislative intent.





Wildlife Activists (4)

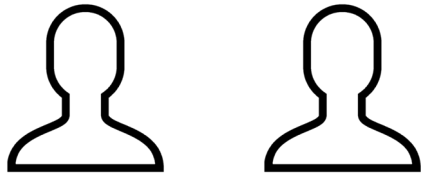
- HSUS (1)
- VCCC (1)
- POW (1)
- Private Landowner (1)



Sporting Groups (4)

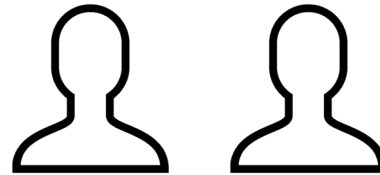
- FS (1)
- Hound Hunters (3)

Stakeholder Participants



Game Wardens (2)

Expert Participants



FW Board (2)



Professional Moderator



