



May 13, 2022

Re: Changes to trapping rules

Dear Vermont Fish & Wildlife Department:

We write on behalf of the Boards, members and supporters of our organizations in response to desired changes we'd like to see implemented with respect to trapping in Vermont. We were in support of the original draft of bill S. 201, a ban on leghold traps. The current version of the bill requires the Vermont Fish & Wildlife Department (VFWD) to address animal welfare, trap selectivity, and public safety concerns. Although this does not reflect the original intention of the bill, we still see value in this effort as it now requires trappers to take actions to prevent harm, such as placing traps away from highly trafficked areas on public lands and putting up warning signage. (These are some of the issues we had requested previously as part of other rulemaking proposals.)

We do not believe that leghold/foothold traps can ever be humane, nor do we think that enforcement of any proposed Best Management Practices (BMP) is practical given the shortage of game wardens and the many nuances involved with trap BMPs. The April petition submitted by the Vermont Trappers Association falls far short of offering any meaningful improvements. As an example, their offer to prohibit any foothold trap greater than 6¼ inches, as measured inside the jaws, illustrates how problematic the issue of BMPs is. Most BMPs recommend a jawsread much smaller than that.

Under the current BMPs, wildlife will still endure unimaginable suffering. The BMPs rely on international scales of trauma and injury to assess animal welfare. As part of the research involved with the recommendations, injuries to trapped animals are evaluated on a scale from mild to severe.<sup>1</sup>

Moderate injury, according to Association of Fish & Wildlife Agencies (AFWA), includes amputation of one-digit, permanent tooth fracture exposing pulp cavity, severe joint hemorrhage, eye lacerations, rib fractures, and major laceration on foot pads or tongue. These scales allow for severe suffering to individual animals, as long as an average amount of suffering across all animals trapped is below a certain threshold. Notably, up to 30% of animals caught in restraining traps, such as leghold traps, can suffer from severe trauma, **such as amputation, compound fractures, severe internal organ damage, spinal cord injury, or death and still meet the BMP criteria.**<sup>2</sup> AFWA's website lists other inhumane practices that are allowed under the BMPs.

BMPs clearly allow unacceptable levels of trauma to both targeted and non-targeted animals, including household pets. We will continue to advocate for an outright ban on leghold/foothold traps and follow the lead of 100 countries and states like California, New Mexico, Colorado, Florida, Massachusetts, New Jersey, Rhode Island, and Washington that have either completely banned or restricted the use of leghold traps.

**The legislature has asked that VFWD consider rules that shall be "at least as stringent as best management practices." This is a prime opportunity to carefully review existing trapping regulations and make improvements.**

### Our proposals

- Resubmitting our 2019 petition concerning trap setbacks and placement of flesh bait on land traps (see attached).
- Prohibit the recreational and commercial trapping of bobcats, river otters, fisher and coyotes. Biologists inform us that these predator species provide numerous ecological services on our landscapes and should be protected and not killed. They face both known and unknown threats, such as rodenticide poisoning, mercury and other water pollutants (otters), loss of prey species for bobcats in some areas due to loss of early successional habitat, distemper and other dangers. Some of these threats are outlined in VFWD's own *Wildlife Action Plan* in the Species of Greatest Conservation Need section.

At the very least, we would like VFWD to provide evidence that the trapping of these species, with no bag limits, is not impacting local populations, especially in areas with high level of take. Our

neighboring state of New Hampshire does not allow any hunting or trapping of bobcats and has a two-fisher limit (combined between hunting and trapping seasons).

- VFWD must determine the maximum number of traps on a trapline, to better allow trappers to adhere to the daily trap check requirements and to properly tend to the trapped animal(s).
- Gunshot should be the only allowable method for killing animals in leghold and cage traps set on land. Bludgeoning; stomping on the chest; drowning of trapped and caged animals; choking; strangling and other non-gunshot methods are prohibited. Special considerations may be made for nuisance wildlife control operators who sometimes kill animals offsite in CO<sub>2</sub> chambers.
- Body-gripping, or so-called "quick kill" Conibear™ style traps, may only be set underwater in order to avoid killing non-targeted animals like bobcats, dogs, and other animals.
- Prohibit the drowning of animals in submersion sets, including cage traps and leghold traps that are attached with a one-way sliding lock to a cable anchored in deep water. For example, cage sets are placed underwater and live trap multiple muskrats at a time who are then drowned.
- "Quick kill" body-gripping traps must be fully submerged under water. The animal welfare performance standard for submersion trapping systems is that once submerged, the equipment must prevent the animal from resurfacing.<sup>3</sup> Researchers find that so-called "quick kill" traps often do not kill the animal instantly—instead inflicting painful injuries—and as a result recommend that check times for these devices be reduced even further to prevent more suffering.<sup>4</sup> This is important given that trappers in Vermont are only required to check water traps every 72 hours.
- Mandatory reporting of all incidental takes (e.g., black bear, bobcat, deer) to VFWD within 24 hours. Trapped animals covered under the Migratory Bird Treaty Act (e.g., raven, owl, eagle) must be reported immediately upon capture and guidance provided by a veterinarian or other qualified professional on how to proceed with animal if s/he is still alive.

- Require trap sensors on all land traps. VFWD often talks about leghold traps being used by scientists in the field for reintroduction of species, however those traps often have trap sensors or trap transmitters that emit a signal once a trap has closed, allowing for more immediate capture or euthanasia of trapped animals.<sup>5</sup> This may reduce or eliminate mortalities due to exertion and predation. Additionally, trap protocols for scientists differ from those for recreational trappers, including the best practice of checking traps before noon to prevent injuries caused by the trapped animals fighting against the trap. We would like to see these protocols adopted across the board.

We'd also like VFWD to consider the concern that landowners trapping in defense of property, under the dangerously broad title 10 V.S.A. §4828, would be exempt from any meaningful changes.

We look forward to working with VFWD to address Vermonters' long-standing concerns with trapping.

Thank you,

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President & Co-founder, Protect Our Wildlife

Anne Jameson, Marshfield VT  
Wildlife Coordinator, Green Mountain Animal Defenders

Joanne Bourbeau, Jacksonville, VT  
Northeast Regional Director, the Humane Society of the United States

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<sup>1</sup> Rochlitz, I. The Impact of Snares on Animal Welfare

[https://onekindplanet.org/uploads/publications/onekind\\_report\\_on\\_snaring\\_chapter\\_1.pdf](https://onekindplanet.org/uploads/publications/onekind_report_on_snaring_chapter_1.pdf)

<sup>2</sup> The Association of Fish & Wildlife Agencies (2006 updated 2021). Best Management Practices for Trapping in the United States, Introduction. [https://www.dec.ny.gov/docs/wildlife\\_pdf/trapbmpsintro.pdf](https://www.dec.ny.gov/docs/wildlife_pdf/trapbmpsintro.pdf)

<sup>3</sup> Ibid.

<sup>4</sup> Proulx, G., & Rodtka, D. (2019). Killing Traps and Snares in North America: The Need for Stricter Checking Time Periods. *Animals: an open access journal from MDPI*, 9(8), 570. <https://doi.org/10.3390/ani9080570>

<sup>5</sup> The American Veterinary Medical Association. Leghold Trap Use in Conservation and Research (April 30, 2009). [https://www.avma.org/sites/default/files/resources/leghold\\_traps\\_bgnd.pdf](https://www.avma.org/sites/default/files/resources/leghold_traps_bgnd.pdf)

