

**Vermont Fish and Wildlife Board
Meeting Minutes**

Wednesday, June 3, 2020

The Vermont Fish and Wildlife Board held a meeting beginning at 5:00 p.m. on Wednesday, June 3 2020 via video conference. The ZOOM video meeting ID was: 824 0420 3585.

Board Members in Attendance: Tim Biebel (Board Chair), Brian Bailey, Wendy Butler, Mike Kolsun, Marty Van Buren, Johanna Laggis, Dennis Mewes, Nancy Mathews, Bryan McCarthy, Mike Bancroft, Jay Sweeny, David Robillard, and David Fielding. Board Member Bill Pickens attended the meeting via phone, though there was an issue with hearing his audio. He noted after the meeting that he listened to the entire discussion and supported the proposed amendment to big game reporting rule.

Department Staff in Attendance: Louis Porter, Commissioner; Mark Scott, Wildlife Director; Col. Jason Batchelder, Law Enforcement Director; Catherine Gjessing, General Counsel; Will Duane, Executive Assistant; and Adam Miller, Big Game Project Leader

Members of the Public Calling in: Brenna Galdenzi, Stowe; Caroline Canning, Burlington; and Mike McCleese, Worcester.

The Meeting was Called to Order by the Chair at 5:01 PM

Public Comments (Limited to 2 minutes per speaker)

Brenna Galdenzi, Stowe: The Board recently received a report compiled by the Vermont coyote coalition regarding the open season on coyotes. The report contained photos and comments from Vermont coyote hunters. Many of the comments and photos were graphic. Last summer the Board did not act on petitions regarding wanton waste and a closed season on coyotes. Would the Department consider adding information about coyotes in its education programs, perhaps at the Green Mountain Conservation Camps? Focusing on hunting ethics and the benefits of coyotes on the landscape could go a long way with young hunters. I believe the current practice is not good for coyotes and not good for the image of hunting.

Caroline Canning, Burlington: I have a question about bear hounding, can I ask what the purpose of it is?

Mike McCleese, Worcester; Fish and wildlife in Vermont is not something I've been involved with until the last few weeks. There was an article in the Montpelier bridge that I was quoted in. There was a tree near my home on the road I live on that had many killed coyotes hanging from it that troubled me. I was surprised to learn about coyote hunting in Vermont in the last few weeks. I am calling to ask Fish and Wildlife to put a stop to this behavior. It's indecent and it shouldn't happen. I'd also like to address a hunting incident from last summer where someone had brought two out of state people to hunt bears with dogs. A bear was shot in the face and badly wounded, the bear

killed one of the hound dogs and wounded another. It took several days for the bear to be found on someone's porch in Waterbury where it was starving to death with half of its face blown off. You must agree that this is horrible, you can't be human and not get that. I'm requesting that we stop using dogs for bear hunting. This is new to me, I'm not an animal rights activist but right now its my heart and my conscience speaking to you. People will start to be aware of this and this will end.

Department Proposal on Turkey and Big Game Reporting Rule Updates

Commissioner Porter thanked the Board Members and Department staff for their work on researching these proposed changes and undertaking this rulemaking process. Thanks again for coming together at this meeting to address some potential amendments to those rule proposals.

Wildlife Director Mark Scott noted for new Board members that sometimes the rulemaking process requires several meetings for changes like this. He thanked Department General Counsel Catherine Gjessing for recognizing the need for a change in the proposal. Instead of waiting until after the presentation at the Interagency Committee on Administrative Rules (ICAR) and the close of the public comment period, the Department has asked the Board to come together to review a change to the proposed rule language. We want to be sure to provide the best work possible before starting the ICAR and public comment parts of the rulemaking process. Thanks again to Catherine for seeing where an improvement could be made and bringing it to our attention. This change is only to the big game reporting rule discussed at the previous meeting on May 20th. No amendments are proposed for the turkey rule changes approved at the May 20th meeting.

Attorney Gjessing presented the Board with newly drafted language for the proposed change to the big game reporting rule at 10 App. V.S.A. § 2. The newly proposed rule language, as approved below, is attached to these minutes. The previously drafted rule change was modeled on the Board's emergency rule passed in April, for the May 2020 turkey season. That emergency rule allowed electronic turkey reporting in order to comply with social distancing and business closures caused by the COVID-19 pandemic emergency orders. In using that template, the rule created an internal contradiction and a contradiction between other reporting rules. The Department recommends that the Board adopt this new proposed language to resolve those conflicts.

The first paragraph of the new draft, subsection (a) specifies that the reporting and the exhibition of the carcass for big game species shall be in the manner required by the Commissioner. The Commissioner may authorize in-person reporting, electronic reporting, or waive the exhibition of a carcass unless requested by a game warden for turkey and deer. This subsection excludes bear and moose because bear and moose have their own reporting requirements in their species-specific rules in the Title 10 Appendix. Bear and moose must still be exhibited and reported in manner they have been, unless in an emergency.

Subsection (b) states if there is an emergency situation, like strict social distancing orders during a big game season, the Commissioner would have the authority to require alternative reporting all big game species. This new draft also requires publishing of the requirements to keep the public informed and in compliance.

Board Members and Department staff discussed the proposed change. Topics included:

- If the publishing requirement was too specific by requiring publication on the Department website;
- If website publication only would exclude members of the public who are not active online;

- If reporting in print media might also be restrictive;
- A backup phone system if successful hunters experience technical difficulties;
- Access to cellular and internet service in Vermont within 48 hours of taking big game; and
- Success and lessons from online reporting during the May 2020 turkey season.

Commissioner Porter, Director Mark Scott, and Attorney Gjessing agreed that removing the requirement to publish on the Department website and retaining the broader publishing requirement was appropriate.

Motion: Chair Tim Biebel moved to approve the amended proposal with the change to remove the words “*on the Department website*” in subsection (a). Jay Sweeny seconded the motion.

Discussion: there was no further discussion.

Vote: Unanimous roll call vote to approve the amended proposal

The Meeting was Adjourned at 5:34

The mission of the Vermont Fish and Wildlife Department is the conservation of all species of fish, wildlife and plants and their habitats for the people of Vermont.

Attachment 1

ANNOTATED

10 App. V.S.A. § 2. Report, big game

(a) ~~A-Unless otherwise specified in the 10 App. V.S.A. section relating to the specific big game species, a person taking big game, as defined by 10 V.S.A. § 4001(31), pursuant to the seasons provided by law or regulation of the Fish and Wildlife Board, shall within 48 hours report the taking and exhibit the carcass in the manner required by the Commissioner. The Commissioner may authorize a person taking big game to report in any manner including but not limited to; electronic reporting, in-person reporting, and waiving exhibition of the carcass unless requested by a warden. The Commissioner shall publish the reporting and exhibition requirements. to the nearest game warden, official Fish and Wildlife Department Reporting Station, or to a person designated by the Commissioner to receive the reports.~~

(b) Notwithstanding the reporting requirements of 10 App. V.S.A. § 7 subsection 8.3 of the Bear Management Rule and 10 App. V.S.A. § 33 subsection 14.3 of the Moose Management Rule, in the event of an emergency, the Commissioner may authorize any person who takes big game to report and exhibit the carcass in the manner required by the Commissioner. The Commissioner shall publish the reporting and exhibition requirements during the emergency period.

(c) No big game carcass shall be transported out of the State without first being reported as required herein.

(d) The Commissioner shall pay to the authorized agent a fee of \$1.00 for each report taken on species where reports are required by law.