

# **Fish and Wildlife Board Meeting Minutes**

## **Wednesday, March 15, 2023**

The Vermont Fish and Wildlife Board held an in-person meeting at 5:00 pm on Wednesday, March 15, 2023, at the Dill Building, Room 135, 2178 Airport Rd, Berlin, VT 05641. A recording of the meeting is available on the department's YouTube channel. Because of a technical glitch, only part of the recording was recovered.

### **Agenda**

1. Approval of Previous Meeting Minutes (January 18 and February 15, 2023)
2. Public Comments (Limited to 2-minutes per speaker)
3. Furbearer Management
  - Overview of Bills driving presentations and current work
  - a. S. 201, Act 159: BMPs for Trapping
  - b. S. 281, Act 165: Hunting Coyote with Aid of Dogs
4. Best Management Practices (BMPs) for Trapping Presentation and Recommendations from the Department
5. Hunting Coyotes and Recommendations from the Department
6. Commissioner's Update

**Board Members Present:** Brian Bailey, Michael Bancroft, Nicholas Burnham, Brad Ferland, Neal Hogan, Robert Patterson, Paul Noel, Jay Sweeny, Martin Van Buren, Allison Frazier, Michael Kolsun

**Virtual:** Bryan McCarthy

**Absent:** David Deen, Jamie Dragon

**Department Staff Present:** Commissioner Christopher Herrick, Wildlife Director Mark Scott, Outreach Director Alison Thomas, Game Warden Colonel Justin Stedman, Counsel Catherine Gjessing, Game Warden Major Sean Fowler, Project Coordinator Christopher Saunders, Wildlife Biologist Chris Bernier, Wildlife Technician Mary Beth Adler, Fish and Wildlife Specialist Ryan Smith, Furbearer Biologist Brehan Furfey, Wildlife Management Program Manager David Sausville, Principal Assistant Abigail Connolly, Retired Furbearer Biologist and Part-Time Fish & Wildlife Employee Kim Royar, Game Warden Mike Scott, Game Warden Dustin Snyder

**Virtual:** Biometrician and Research Manager Katherina Gieder, Wildlife Specialist Tyler Brown

**Members of the Public Present:** Jeff Potter, Bob, Jake Potter, David Sixon, Sean Teague, Tony Lemay, Jim Daigle, Shawn Teague, Bev Soychak, Doug, Travel Hall, Nancy Fitzpatrick, Brent Perkins, Jeff Disorda, Richard Gould, Bill Pickens, Russ Fortin, Charles Black, Devin Mitchell, Alex Grismore, Levi Carpenter, Dave Peters, Damon Smith, Rebeca Brothers, Cole Dudley, Caleb Pearo, Trevor Bunnell, Megan Bunnell, Kyle Hamilton, Jesse Williams, Robert Williams, Chris Williams, Anthony Larivee, Darren Coloutti, Eric Stoner, Travis Hepburn, Mike Crandall, Bill Parker Jr, Jon Dumis, Russell Ortting, Anne McKinsey, Morgan O'Brien, Bob Galvin, Scott O'Brien, Dakota LaFrance, Jesse Disorda, James Carmichael, Brad Stanley, Isaiah Snow, Jaden Waterhouse, Colton Boylan, Joddie Boylon, Rob Lemire, Kevin Donna Jr., Rod Coronado,

Shawn Currier, Kris Dompierre, Warren Dompierre, Ross Fiske, A Disorda, Shayla Trepanier, Bradley Disorda, Kenny Doan, Torrie Desmorais, Tyler Earle, Aidan Fletcher, Ann Smith, Sarah Gorsline, Garrett Henderson, Anne McKinsey, Bev Soychak, Will Staats

**Virtual:** Joanne Bourbeau, Anne Jameson, Lisa Jablow, Walter Medwid, David Bargfrede, Bruce Martin, Renee Seacor, Alana Stevenson, Liz Snider, Rob Mullen, Larry Martin, Matthew Meservey, Mark Green, Daniel Bushey, Gerald Damico, Bubba, Wesley Butler, Gabi, Mandy White, Joe Flynn, Barrows, Randy, Thomas Oliver, Chris Bradley, Rod Coronado

The meeting was called to order at 5:00 pm

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### **APPROVAL OF PREVIOUS MEETING MINUTES**

**Motion:** Board Member Frazier moved to approve the minutes from January 18, 2023, Board Member Van Buren seconded the motion. The Board voted to approve (11-0-3) the minutes from January 18, 2023.

**Discussion:** Board Member Bailey clarified that he was not present at the February 15, 2023 meeting and the minutes should be corrected to reflect that. He abstained from the vote because he was not present.

**Motion:** Board Member Sweeny moved to approve the minutes from February 15, 2023. Board Member Frazier seconded the motion. The Board voted to approve (10-0-3) the minutes from February 15, 2023, with Board Member Bailey abstaining.

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### **PUBLIC COMMENT PERIOD**

Sarah Gorsline, Grand Isle: Spoke about the Northeast Wolf Recovery Alliance petition that was submitted last month and the follow up letter sent on March 10, 2023. Said that she works with Project Coyote and listed the requests in the letter: they would like to see reporting from the department on wolves in the state that may have been previously reported to the National Wildlife Service, a copy of the large canid protocol from 2010, and the DNA of the canid shot in 2013 in North Hero, as well as several other animals killed since 1998. She stated that hounding and trapping practices are never humane, that they are not effective ways of hazing wildlife, and that disrupting canid families, especially coyotes, can actually create more coyotes. Project Coyote submitted some wolf and coyote resources to the Board last month.

Bob Galvin, Richmond: The Vermont state director for the nonprofit Animal Wellness Action. He expressed concerns about the department's recommendations for the best management practices for trapping, mainly that after the working group the recommendations from the Vermont Trappers Association's recommendations were taken verbatim and the wildlife advocacy group's recommendations were not. He also expressed concern with the department's

recommendations related to Act 165 and said that GPS collars on dogs does not fit the definition of control of dogs in the statute. He stated that wildlife advocacy groups participated in the working group for Act 165 and were ignored.

Rod Coronado, Orange: Works with an organization called Wolf Patrol. He does not agree with the BMP trapping recommendation that allows a body gripping trap five minutes to kill an animal. He stated that Act 159 was meant to improve animal welfare and he thinks we can do better. He stated he did not find any peer-reviewed scientific data that recognizes BMPs as an improvement to animal welfare. He does not agree public funding to reimburse trappers for their private traps and he does not agree with the methods of dispatch of crushing or clubbing an animal.

Bev Soychak, Monkton: Stated that she supports hunting and fishing and does not support recreational trapping. She stated that regulated trapping is not enough, with no bag limits, no trap limits, and no set back, and that penalties are not sufficient. She commented on the negative interactions she has had with trappers.

Anne McKinsey, Corinth: She thinks signage for trapping should be required to be posted to protect the public. Her dog was killed in December by a conibear trap, and she stated signage would have indicated to her to not let her dog off leash. She stated the proposed setbacks off the trail are not enough. She stated that dog owners often do not report when their dogs get caught in traps.

Jeff Potter, Lyndon: Farmer and hounds-man. He stated that coyotes harass livestock and the deer and running them with hounds is the best way to control them. He said he had full support of the farmers in his area.

Bill Pickens, Wolcott: Asked the Board to take their time in reviewing the recommendations on BMP trapping and hunting coyotes with dogs and encouraged them to ask the questions they need to ask to make decisions.

Scott O'Brien, Milton: Stated there's a lot of misinformation about coyotes, including reproductive rates of hunted coyotes versus not-hunted. He believes that there should not be any additional trapping regulations, including on drowning traps.

Trevor Bunnell, Danville: Stated he had the support of 99% of his neighbors to hunt with hounds and his neighbors ask him to run coyotes for them. He said that it is his way of life and heritage, and he does not feel that people are being tolerant of this.

Lisa Jablow, Brattleboro: On the Board of Protect our Wildlife. Read a statement from their Board of Directors. "You should have received our email on Thursday, March 9, laying out our concerns with the Fish & Wildlife Department's recommendations for trapping BMPs and coyote hounding, as well as concerns with the Fish & Wildlife Department and Board's decision making process. Protect Our Wildlife attended every working group session for both the trapping and coyote hounding working groups. We presented our position papers, we shared our concerns about how the trapping working group was conducted, and made significant concessions. And

the ultimate result, not one of Protect Our Wildlife’s original recommendations were incorporated into your final recommendations. We participated in good faith, but Fish & Wildlife’s decision making paradigm has once again proven that it caters to its chosen stakeholder groups, trappers and hounders. We believe your recommendations fall far short of the legislative mandate. We have documented the lack of Fish & Wildlife’s willingness to negotiate and we have chosen to focus our efforts to bring change through other venues. Please incorporate this comment into the public record, thank you.”

Alana Stevenson, Charlotte: Professional animal behavioralist working with dogs, specifically aggression and behavioral problems, for twenty years. She stated there is no humane way of taking a coyote with hounds and raised concerns about who is responsible for controlling the dogs. She stated if you cannot see and communicate with a dog in real time it is impossible to control them.

Joanne Bourbeau, Whitingham: Northeast Regional Director for the Humane Society of the United States, and participated in both of the working groups for the BMP trapping and coyote hunting with dogs. She expressed that meaningful compromise was not achieved. She stated that trapping and coyote hunting with dogs are cruel and cause unnecessary harm. She stated animal protection groups do not agree with the draft rules and do not think they fulfill the legislative intent.

Krista Rose, NJ: Started the Northeastern Puma Project, which is in early development. She stated there is also a Cougar Research Collaborative which has been fundraising and generating peer-reviewed research on cougar recovery in the Eastern United States. There are cougar or catamount talks at the Northeastern Natural History Conference in Burlington during Earth Day weekend, and there is a symposium on rewilding native North American species at the Northeastern Fish & Wildlife Agencies Conference in Hershey, PA in May.

Randy, Milton: Stated he has been trapping for 55 years and stated that in the working group he thought they had worked out a compromise, and was surprised by a bill in the Legislator this session that would end all trapping. He agreed with the six recommendations brought to the Board but it should end there.

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## **Overview of Bills driving presentations and current work**

- a. S. 201, Act 159: BMPs for Trapping**
- b. S. 281, Act 165: Hunting Coyote with Aid of Dogs**

Commissioner Herrick explained that both acts were passed in the last Legislative session (2022), and he directed staff to create two working groups to assist the department to develop Best Management Practices (BMPs) for trapping and to regulate hunting coyotes with the aid of dogs. The BMPs for trapping working group included Protect Our Wildlife, the Humane Society, the Vermont Wildlife Coalition, trappers, the Chairman and Chairwoman of the two Legislative Committees of jurisdiction, and Fish & Wildlife staff, including wardens. The coyote hunting

with dogs working group had representation from Protect Our Wildlife, the Coyote Coalition, landowners, as well as Fish & Wildlife staff.

Mark Scott reviewed a working agenda for the Board and explained that the meeting is focused on providing information to the Board which accompanies the department's recommendations.

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### **Best Management Practices (BMPs) for Trapping Presentation and Recommendations from the Department**

David Sausville presented a timeline of changes to the furbearer program and discussed work done by the department on habitat projects. The timeline is included below (please note that this does not include all changes made). David Sausville introduced Brehan Furfey.

Brehan Furfey reviewed a summary of the open petitions in front of the Board and how the key issues from the petitions were incorporated into the draft recommendations to the Board, were addressed but with modifications to specifics, were not found to be relevant to the recommendations, or were in progress. The summary is included below.

Katherina Gieder presented on furbearer population monitoring. She explained that a large sample of species are usually needed to successfully monitor a population, but with furbearers it is extremely expensive to use this method. Katherina Gieder explained the methods for furbearer population that are used: harvest catch per unit effort, harvest carcasses, remote field cameras, deer hunter sighting rates, public reports, roadkill, and research studies. Furbearer monitoring is very complex and resource intensive and trapper-derived data is an important data source.

The Board recessed the meeting at 7:10 pm.

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The Board resumed the meeting at 7:30 pm.

### **Best Management Practices (BMPs) for Trapping Presentation and Recommendations from the Department**

Kim Royar presented the BMP working group process and outcomes. Kim Royar explained that the current 16 furbearer species are abundant and the department uses the best available science to manage these species for all Vermonters. Kim Royar reviewed the role of regulated trapping for population management, the public survey that was sent to Vermonters regarding trapping, the Act 159 mandate, details of the department established working group, and the department's draft regulations for the Board's consideration.

Game Warden Mike Scott brought out types of leg-hold traps to show the Board examples of what is currently illegal, what is currently legal, and what would be legal with the proposed BMPs. The Board Members asked Game Warden Mike Scott specific questions about the traps.

Board Member Noel discussed that the use of drags and grapples would be eliminated by the language “traps must be anchored with a maximum of 18” chain length.” Board Member Noel explained that drags can be effective, appropriate, and humane in the right terrain. Kim Royar explained that it was discussed during the working group but was left out because the use of drags was not scientifically tested to be more or less humane.

Kim Royar reviewed the recommendations regarding baits and lures and body gripping traps. Chris Saunders reviewed the data on trap-caught domestic dogs and cats from 2018 to 2022. Kim Royar reviewed the recommendations regarding hiking or walking trail and public highway offsets. Catherine Gjessing provided background information on how trails, public lands, and public highways are defined. Kim Royar reviewed the recommendations regarding humane dispatch and Nicole Meier presented the standards/core curricula for trapper education provided by the department which stresses safe, legal, respectful, and responsible trapping. Kim Royar presented the justification for the BMPs for trapping and Catherine Gjessing presented the next steps for the rulemaking process for the Board. The presentation is included below.

The Board recessed the meeting at approximately 8:50 pm.

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The Board resumed the meeting at approximately 9:15 pm.

### **Hunting Coyotes and Recommendations from the Department**

Brehan Furfey presented on canid genetics in Vermont and reviewed the history of wolves and coyotes in the Northeast. Hybridization with both gray wolves and coyotes makes it taxonomically challenging. The Board Members asked Brehan Furfey questions. The presentation is included below.

Game Warden Dustin Snyder explained how police K-9s are trained to show how dog training can vary for different purposes.

Will Staats and Ryan Smith discussed their use of GPS collars to hunt with dogs and the improvement over the older VHR radio collar technology. They explained how the dogs are trained with the GPS collars. The Board asked questions regarding whether hunters use GPS collar technology and how to avoid trespassing on property.

Major Fowler and Chris Saunders reviewed the Board charge of Act 165, what regulations were required in Act 165, the stakeholder input group process, and the draft rule to regulate hunting coyotes with the aid of dogs. The Board asked questions about the details of the draft rule and whether the required permit limit of 100 would be decided by lottery. The presentation is included below.

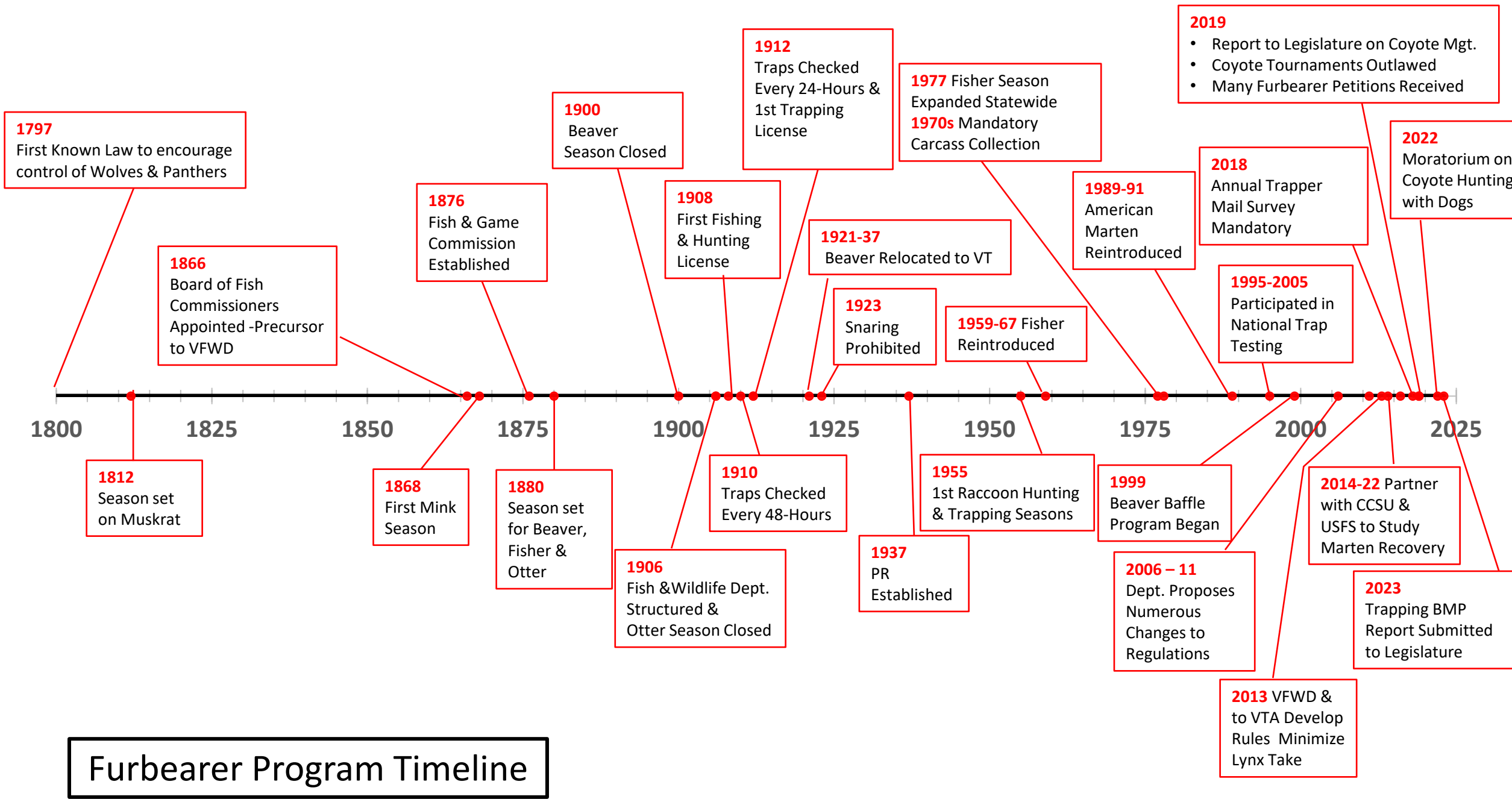
## **COMMISSIONER'S UPDATE**

Commissioner Herrick updated the Board on testimony on the department's capital bill, a crop damage liability claim, three wardens attending the policy academy, and requiring the age of 18 or older to take online hunter education courses.

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### **Motion To Adjourn:**

The Board moved to adjourn the meeting at approximately 10:20 pm unanimously.



# Furbearer Program Timeline



**Green:** We incorporated concepts

**Yellow:** Addressed concepts but with modifications to specifics

**Red:** Did not find concept relevant to proposal

**Blue:** Did does not include specifics, in progress

**Petitions Summary**

Open Petition	Request	Key issues that petition addressing
Vermont Trappers Association (Bruce Martin, ~4/2022)	<ul style="list-style-type: none"> <li>• Jaws are padded, off-set, laminated, or have jaws with a minimum thickness of 5/16”.</li> <li>• Base plates feature a center chain attachment.</li> <li>• The trap can be adjusted for pan tension.</li> <li>• There are at least two swiveling devices in the chain.</li> <li>• An anchored trap has a minimum of 12” and a maximum of 18” of chain from the point where it exits the ground once an animal is caught.</li> <li>• No foothold trap shall be set on land with a spread more than 6 -1/4” as measured inside the jaws.</li> </ul>	<ul style="list-style-type: none"> <li>• BMP Strategies to Improve Animal Welfare and Selectivity</li> </ul>
Vermont Wildlife Coalition (Rob Mullen, Dec. 2022) Response to BMP’s	<ul style="list-style-type: none"> <li>• Improvement in trapping systems.</li> <li>• “Meat-based” bait should be all bait (e.g., feathers, etc.).</li> <li>• Get rid of body-gripping traps? Current proposal not good enough for eliminating by-catch.</li> </ul>	<ul style="list-style-type: none"> <li>• BMP Strategies to Improve Animal Welfare and Selectivity</li> <li>• Baits and Lures</li> <li>• Body gripping traps</li> <li>• Trail offsets</li> <li>• Humane euthanasia</li> <li>• Education</li> </ul>

	<ul style="list-style-type: none"> <li>• There needs to be setback rules for foothold traps on all public roadways or public areas</li> <li>• 25 feet is not a sufficient enough distance; should be farther.</li> <li>• Trail kiosk postings</li> <li>• Video on website showing how to remove pets from trap</li> <li>• Add BMP's to trapper education courses</li> <li>• Finalize "humane dispatch", currently tabled.</li> </ul>	
Vermont Wildlife Coalition (Rob Mullen, May 2022)	<ul style="list-style-type: none"> <li>• Eliminate drowning sets.</li> <li>• Restore the exclusion of traps within 10 feet of beaver lodge entrances.</li> <li>• Return the end of the otter trapping season to February 28. [also addressed in 2021 petition]</li> </ul>	<ul style="list-style-type: none"> <li>• BMP Strategies to Improve Animal Welfare and Selectivity</li> </ul>
Protect our Wildlife, Brenna Galdenzi, 2019)	<ul style="list-style-type: none"> <li>• Set back requirements for traps (No traps may be set on public land): <ul style="list-style-type: none"> <li>o Within 150 feet of any public trail</li> <li>o Within 500 feet of any trailhead that is accessible to vehicular traffic</li> <li>o Within 1000 feet of any public campground or picnic area)</li> </ul> </li> <li>• Signage at trailheads warning of trapping.</li> <li>• No meat bait, visible by air</li> </ul>	<ul style="list-style-type: none"> <li>• Trail offsets</li> <li>• Education</li> <li>• Baits and lures</li> </ul>
Anne McKinsey, comment submission; Jan 2023	<ul style="list-style-type: none"> <li>• Require trappers to post signs when trapping.</li> <li>• Increase public awareness about trapping.</li> <li>• Increase penalties for violations.</li> </ul>	<ul style="list-style-type: none"> <li>• Body gripping traps</li> <li>• Education</li> </ul>

	<ul style="list-style-type: none"> <li>• Limit the use of body gripping traps.</li> <li>• Post trapping regulations information on the department's website instead of on the eRegulations.com website.</li> </ul>	
<p>Protect our Wildlife (POW), Green Mountain Animal Defenders (GMAD), and Humane Society of the Northeast (HSUS), Nov &amp; May 2022</p>	<ul style="list-style-type: none"> <li>• Trail setbacks (see other pet, same request)</li> <li>• Placement of flesh bait on land traps (see other petition (include date), same request)</li> <li>• Prohibit commercial and recreational trapping of bobcats, otters, fishers, coyotes</li> <li>• Determine maximum number of traps on a trapline.</li> <li>• Gunshot should be only method of euthanasia. [pending position statement from AFWA]</li> <li>• Body gripping traps only allowed under water.</li> <li>• No submersion sets, cage traps, leghold traps underwater.</li> <li>• Mandatory reporting of incidental take within 24 hours</li> <li>• Require trap sensors on all traps set on land.</li> <li>• Any changes be exempt to 10 V.S.A. §4828</li> </ul>	<ul style="list-style-type: none"> <li>• Trail offsets</li> <li>• Baiting and lures</li> <li>• Humane euthanasia</li> <li>• Body gripping traps</li> </ul>

## Canid Petitions Summary

Petition	Requests	Main issues being addressed
Northwest Wolf Recovery Alliance (Renee Seacor Dec. 2022)	<ul style="list-style-type: none"> <li>• Regulate and limit current open season from Oct 1<sup>st</sup>-Dec. 31<sup>st</sup></li> <li>• All canids should be checked in and tagged</li> <li>• Checked in canids meeting certain regulatory criteria should be subjected to DNA analysis to assess the genetic composition of the animal, and results should be made available to the public annually</li> <li>• 2-year canid hunting moratorium in the area where a wolf kill has occurred</li> <li>• Night hunting should be prohibited</li> <li>• Bag limits should be established</li> <li>• Vermont’s wanton waste law should be strictly enforced for all canids</li> </ul>	<ul style="list-style-type: none"> <li>• Seasons and shooting hours</li> <li>• Reporting</li> </ul>
VT Traditions Coalition (Mike Covey May 2022)	<ul style="list-style-type: none"> <li>• Regulate the use of hounds for hunting coyotes</li> </ul>	<ul style="list-style-type: none"> <li>• Creation of regulations (all)</li> </ul>
Vermont Wildlife Coalition (Dave Kelley May 2022)	<ul style="list-style-type: none"> <li>• Control of hounds</li> <li>• Bait should not be used to attract hunted animals</li> <li>• Mandatory reporting</li> <li>• Humane euthanasia</li> <li>• No “kill dogs”</li> <li>• Identifiable hound dogs</li> <li>• Limit the number of hounds used</li> </ul>	<ul style="list-style-type: none"> <li>• Control of dogs</li> <li>• Legal means of take</li> <li>• Reporting</li> <li>• Seasons &amp; shooting hours</li> <li>• Baiting</li> </ul>

	<ul style="list-style-type: none"> <li>• Fresh hounds should not be introduced during chase</li> <li>• October through December season on Coyotes</li> </ul>	
Vermont Coyote Coexistence Coalition (Jane Fitzwilliam March 2022)	<ul style="list-style-type: none"> <li>• Regulated season from Oct 1<sup>st</sup> to December 31</li> </ul>	<ul style="list-style-type: none"> <li>• Seasons &amp; shooting hours</li> </ul>

**Petitions Board Rejected**

<b>Petition</b>	<b>Request</b>	<b>Key issues that petition addressing</b>
VT Wildlife Coalition Petition (2021)	<ul style="list-style-type: none"> <li>• Ban trapping</li> </ul>	Department provided an in-depth response and the petition was denied.
Vt Wildlife Coalition (2021)	<ul style="list-style-type: none"> <li>• Shorten the otter season from the end of March to the end of February</li> </ul>	Department provided an in-depth response and the petition was denied.
Protect our Wildlife Petition (2021)	<ul style="list-style-type: none"> <li>• Ban fisher trapping</li> </ul>	Department provided an in-depth response and the petition was denied.
The greater good animal rescue petition (2022)	<ul style="list-style-type: none"> <li>• Ban leghold, foothold, and underwater pocket traps</li> </ul>	The board opted not to act on the petition due to the comprehensive work done by the Dept. in June.



# BMP Working Group Process and Outcomes

Board Presentation March 2023

# Department Mission

The conservation of fish, wildlife, plants and their habitats for the people of Vermont



Over 25,000 species



## What are furbearers?

- Vermont currently supports 16 furbearer species
- All those that are trapped are common and abundant. In fact, many furbearer populations have increased in the last 50 years despite regulated trapping.
- We use the best available science to manage furbearers to ensure that their populations are sustainable, that there continues to be public support for these animals, and that our children and grandchildren are lucky enough to encounter them.
- Regulated trapping is an important tool and provides many benefits to both people and wildlife.



# Who Owns Wildlife?

Wildlife is viewed and valued as a public resource held in trust by wildlife agencies.

- Unique to North America
- Value and conserve resources

**The public does not value or conserve animals they perceive to be doing damage.**



# The Role of Regulated Trapping

- Population Management
- Habitat Protection
- Protection of endangered species
- Reintroduction of T&E species
- Reducing human/wildlife conflicts
- Research and disease and population monitoring





07:52AM 12/11/2016

# Public Survey

A majority of Vermonters are satisfied with the Department and view the Department as credible (63% are very or somewhat satisfied)

A majority of Vermonters support regulated trapping and the right for others to trap even if they do not do so themselves. (Responsive Management, 2022)

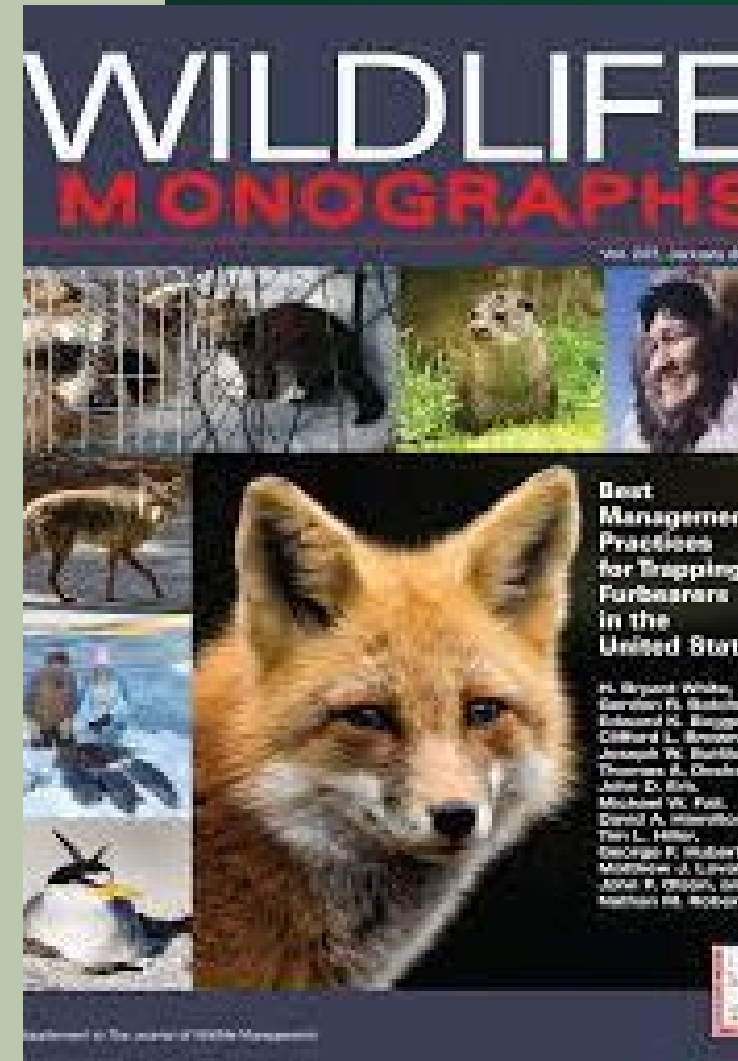
Regulated trapping is an accepted and necessary tool supported by The Wildlife Society, the American Veterinary Association, and the American Association of Wildlife Veterinarians.



Tolerance and sharing have always been part of Vermont's history as long as the activities are ecologically sound and do not impact the sustainability of wildlife populations.

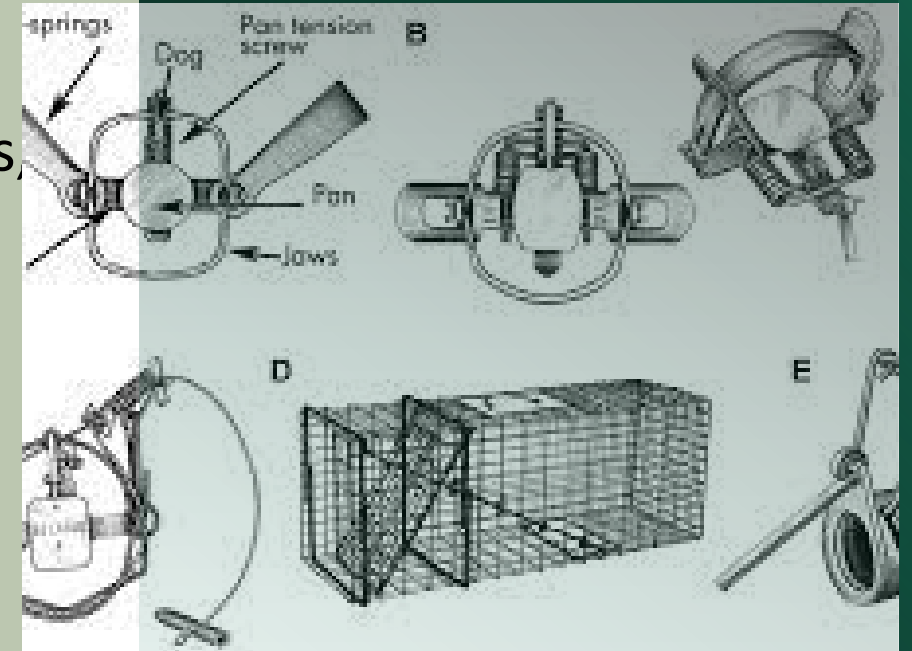
# Act 159 Mandate

“.....recommend best management practices (BMP’s) for trapping that propose criteria and equipment designed to modernize trapping and improve the welfare of animals subject to trapping programs. **The BMP’s shall be based on investigation and research conducted by scientists and experts at the Department of Fish and Wildlife and shall use the “Best Management Practices for Trapping in the United States” issued by the Association of Fish and Wildlife Agencies as the minimum standards of BMP development.**”



# Legislative Charges as Outlined in Act 159

- Propose trapping devices that are designed to minimize injury to a captured animal.
- Establish criteria for adjusting or maintaining trapping devices so that they operate correctly and humanely.
- Recommend trapping techniques, including:
  - appropriate size and type of a trap for target animals,
  - use of lures or other attractants,
  - trap safety,
  - methods to avoid non target animals,
- Recommend requirements for the location of traps, at a safe distance, from public trails, class 4 roads, playgrounds, parks and other public locations where persons may reasonable be expected to recreate,
- Develop criteria for when and how live, captured animals should be released or dispatched, and;
- Revisions to trapper education materials.
- Estimates for the funding of replacement traps.



# Department Established a Working Group

- Humane Society of the United States,
- The Sportsman's Federation, Association of Fish and Wildlife Agencies,
- Protect Our Wildlife,
- VT Wildlife Coalition,
- 2 members of the VT F&W Board,
- 2 members of the Vermont Trappers Association,
- 1 Representative of the Vermont House,
- 1 Vermont Senator,
- 2 Vermont State Wardens.

## Department Role:

- (1) Ensure sustainable wildlife populations
- (2) Results based on science.
- (3) Attempt to find compromise



# Working Group Goal

To provide input on rules that would regulate the use of *foothold trapping systems* in accordance with the Best Management Practices (BMP) criteria as outlined by the Association of Fish and Wildlife Agencies (AFWA). In addition, the group considered other proposals that were related to Best Management Practices or other trapping system improvements associated with animal welfare, selectivity, and safety as defined by Act 159.








## Working Group Objectives

- (1) Get informed consent or consensus from participants on both the process and the outcomes.
- (2) Maintain an equitable, fair, respectful, and transparent process.
- (3) Attempt to secure agreement on final recommended language related to BMP rules and foothold trapping systems that improve animal welfare and selectivity.
- (4) Ensure that the recommended rules are clear, applicable, practical, and enforceable.

A raccoon is sitting inside a metal wire trap. The raccoon has a black and grey face with a white patch around its eyes, and a black and brown striped body. It is looking directly at the camera. The trap is made of metal wire and is set in a natural environment with dry leaves and green grass. A semi-transparent circular overlay is on the left side of the image, containing text.

Group agreed to limit discussions to the following 5 topics based on the legislative mandate.

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- BMP's to improve animal welfare and selectivity.
- Setbacks.
- Baits and lures.
- Technical items related to body gripping traps.
- Methods of dispatch.



Public Meeting –November 22, 2023

## Links to Working Group Minutes and Presentations

- Legislative report and public comment summary, for the BMP process: <https://vtfishandwildlife.com/trapping-bmps-and-coyote-hunting-regulations-updates>
- The Bryant White and Nathan Roberts BMP presentation (linked from the above page under the Nov 29 bullets, specifically here):

<https://www.youtube.com/watch?v=J5QTm64kZhl>

# Department Proposal

(based on WG feedback, public meeting, and the best available science)

## *Issue One: Animal welfare and selectivity:*

*Objective: To improve land trapping and land trapping systems for animal welfare, selectivity, and safety as recommended by the Association of Fish and Wildlife Agencies and based on their 20-to-30-year research effort.*

- All base plates must feature a center chain mount with swivel, with free moving chains that allow mobility for animals caught.
- All traps triggered by downward pressure must be adjustable for pan tension
- Traps must be anchored with a maximum of 18" chain length. Extra swivels and/or shock springs can be added to the chaining system.
- Foothold traps must be padded or offset, laminated, foot encapsulating, or have jaws with a minimum thickness of 5/16ths.
- No foothold trap shall be set on land with a spread of more than 6 ¼ inches.





# Review of Trapping Systems



## Issue 2: *Baits and Lures*

**Objective:** *To minimize the capture of non-target animals—particularly avian species.*

Meat based bait used in conjunction with trapping shall be covered at the time the trap is set. Coverings shall include but are not limited to brush, branches, leaves, soil, snow, water, or enclosures constructed of wood, metal, wire, plastic, or natural materials.

## Issue 3: Body-gripping traps



*Objective:* Although currently very limited, the goal of this recommendation is to minimize any potential for the future capture of domestic pets in body-gripping traps set on land.

- No meat-based baited, body gripping traps shall be set on the ground. However, baited body-gripping traps with a jaw spread up to and including 60 in<sup>2</sup> can be used on land if 5' above the ground, or within an enclosure with openings no greater than 60 in<sup>2</sup> and the trap trigger is recessed at least 12 inches from all openings. There are no restrictions to body-gripping traps baited or otherwise, if set in the water.



## Trap-Caught Domestic Dogs & Cats: **2018 – 2022**

### **44** reports

- 32 dogs (one feral)
- 12 cats (five feral, one purposeful)
- one case omitted

**26** (60%) occurred during a regulated trapping season by a licensed trapper

- 5 involved violations

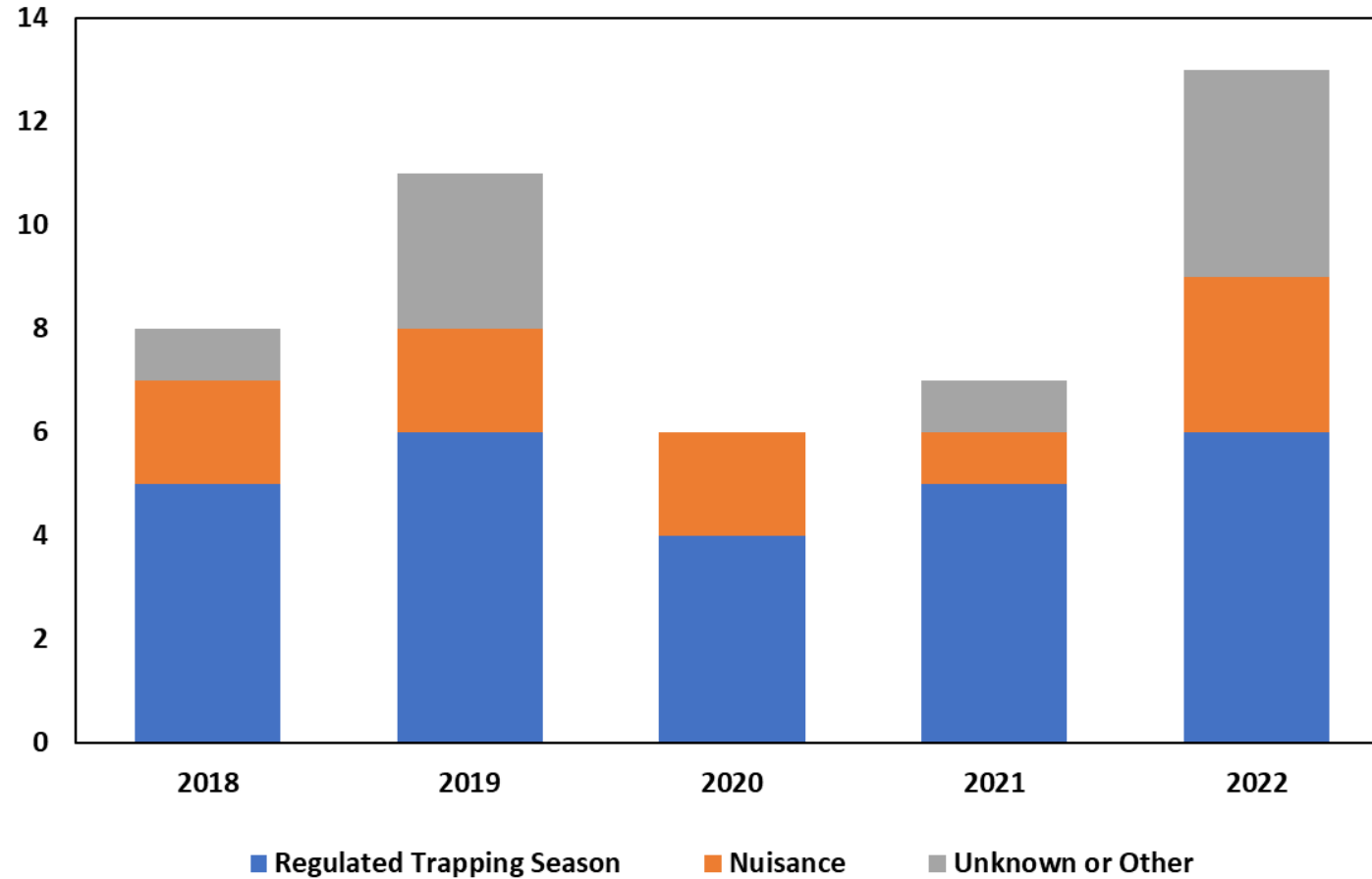
**18** occurred outside of a regulated trapping season

- 9 known to be nuisance-related
- 4 involved violations; 3 unknown

At least **12** (38%) dogs were roaming without their owners; no dogs were leashed

**Mandatory reporting began in 2018**

Trap-Caught Domestic Dogs and Cats, including Feral, by Year, Vermont



**Mandatory reporting began in 2018**

## Trap-Caught Domestic Dogs & Cats: **Land Ownership**

At least **38** (86%) occurred on private property; **10** (23%) on the trapper's property

### Permission

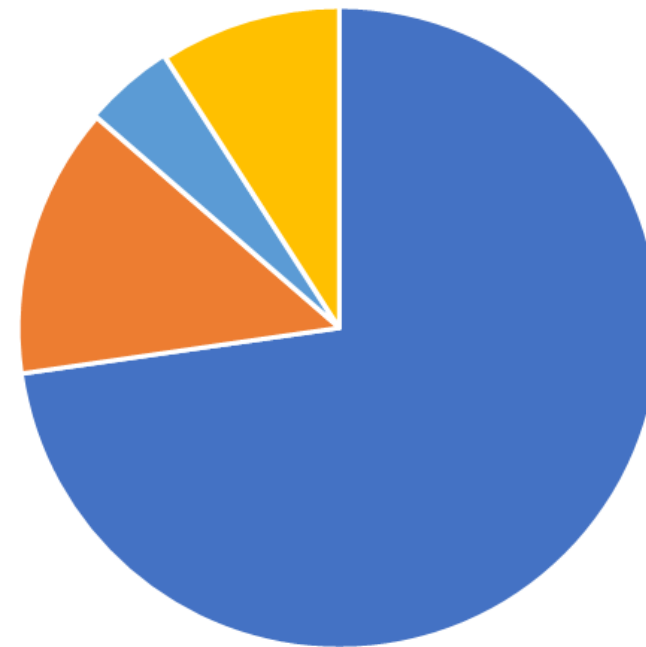
- Regulated trapping season: at least 18 of 24 had permission
- Outside season: at least 9 of 17 had permission
- 1 pet owner was trespassing

**3** (7%) occurred on public land

- GMNF, ROW, town recreation area
- 2 of 3 during regulated trapping season

Trap-Caught Domestic  
Dogs & Cats:  
**Trap Type**

By Trap Type, 2018 - 2022



■ Foot Hold ■ Body-gripping ■ Live Trap ■ Not listed - Other

**32 of 44 (73%)** involved foothold traps; **6** involved body-gripping traps

## Trap-Caught Domestic Dogs & Cats: **Injuries & Fatalities**


**5** fatal (3 dogs, 2 cats)

- One feral cat and one likely feral dog
- **1** nuisance-related, set by landowner (dog, body-gripping)
- **3** occurred during a regulated trapping season
  1. Dog, resulted in a violation (body-gripping trap, exceeding 8 inches, less than 5 ft off the ground)
  2. Outdoor cat, owner did not respond to repeated contact attempts (no trap type listed)
  3. Dog, still under investigation; involved violations

**39** (89%) non-fatal

- No injuries/unharmed: **14**
- Minor: **7**
- Major: **1**
- Unknown/not listed: **10**


**14** of the **39** were examined by a vet (6 unknown)

A photograph of a forest path. The path is dirt and leads through a dense forest of tall, thin trees. A white rectangular marker is visible on the trunk of a tree in the middle ground. The lighting is bright, suggesting a sunny day.



## *Issue Four: Hiking or Walking Trail and public highway offsets*

*Objective: Some WG members were concerned about the potential capture of domestic pets and children (there is no historical evidence of this), in body-gripping traps set on public lands.*

- No foot traps on or within 25 feet of the traveled portion of a public highway or trail on state-owned public land unless in the water or 5' above the ground. Not applicable to Wildlife Management Areas (WMAs).
- No body-gripping trap set 50' from a public highway or trail unless it is in the water or more than 5' off the ground or in a dog-proof set (described above). Not applicable to WMAs.
- Department agrees to develop brochures for trail kiosks and a video link that will address the release of dogs from a foot hold or body-gripping trap.
- We will also recommend that this will be added to trapper education courses.




## TRAILS - Act 159 (S.201)

- (a) The BMPs shall include recommended:
- (4) requirements for the location of traps, including the placement of traps for purposes other than nuisance trapping at a safe distance, from public trails, class 4 roads, playgrounds, parks, and other public locations where people may be reasonably expected to recreate.
- 
- 



## ***LANDOWNER PERMISSION REQUIRED BY STATUTE (10 V.S.A. 4707)***

Trappers must notify a landowner of the intention to trap and trap location

- Applies to all private lands
  - Landowners can revoke permission at any time
  - Applies to municipal lands
- 




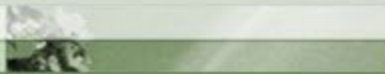




# Municipal Lands


Municipalities cannot regulate hunting, trapping or fishing. See 24 V.S.A. § 2291 and 24 V.S.A. § 2295 but, municipalities have authority to control activities on their land, including hunting and trapping. 10 V.S.A. § 6307(a).

Affirmed by the Vermont Supreme Court. *Hunters, Anglers and Trappers Association of Vermont, Inc. v. Winooski Valley Park District*, 181 Vt. 12 (2006).








# Definitions of a trail

- 10 V.S.A § 442. (3) "Trails" means land used for hiking, walking, bicycling, cross-country skiing, snowmobiling, all-terrain vehicle riding, horseback riding, and other similar activities. Trails may be used for recreation, transportation, and other compatible purposes. Recognized by ANR with advice of Greenways Council.
  - 19 V.S.A. § 301- (8) "Trail" means a public right-of-way that is not a highway previously designated as a town highway OR a new public right-of-way laid out as a trail by a municipality.
  - 10 App. V.S.A. § 15. 3.9 "Designated Corridor" means a road, trail, path or other linear travel route . . . that the Department has designated for travel by a particular means or vehicle, and so identified with signage or . . . a Department-issued map.
- 







# What is public land?

- Not many definitions in statute . . . .
  - Here is a rule - (b) "Public Land" means real property owned or controlled by the State of Vermont. *STATE OF VERMONT NATURAL RESOURCES AGENCY PRIMITIVE CAMPING RULES AND REGULATIONS*
- 
- 





## ANR lands

- Approximately 101 Wildlife Management Areas totaling over 134,000 acres. Purchased and managed primarily with Pittman Robertson funds for habitat conservation and wildlife-based recreation, and specifically hunting, fishing and trapping.
  - Forests Parks and recreation - about 55 developed state parks totaling 52,000 acres and state forest totaling 185,000 acres.
  - Over 90,000 acres of conservation easements.
- 
- 



# Agency of Natural Resources Policy



- Hunting/Trapping: Valid Vermont hunting (and trapping) license and compliance with existing regulations are required (see "Digest of Fish and Wildlife Laws"). Hunting is generally allowed at state parks but is prohibited within 500 feet of any state park building, and in certain other designated areas.
  - [AGENCY OF NATURAL RESOURCES POLICY \(vermont.gov\)](http://vermont.gov)
- 
- 








# Department of Fish and Wildlife rules

- ✓ 4.0 Authorized Activities. 4.1 The following activities are authorized on all lands under this rule:
  - ✓ (a) Hunting, fishing, trapping and target shooting at designated shooting ranges, as well as all other activities authorized under 10 V.S.A. Part 4;
  - ✓ <https://legislature.vermont.gov/statutes/chapter/10APPENDIX/001> |||||
- 
- 



## What is a public highway?

19 V.S.A. § 1 (20) - “State highways” are those highways maintained exclusively by the Agency of Transportation.

(22) - (23) “Town highways” are class 1, 2, 3, and 4 highways that the towns have designated and exclusively or cooperatively maintained.

§ 305. (c) town highways and trails shall appear on the town highway maps.

<https://vtrans.vermont.gov/content/planning/maps/town-maps/highway-maps>








## OTHER STATE SETBACKS

Of the 48 states that allow avocational trapping:


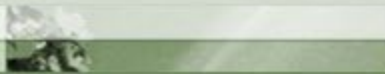
- 18 (38%) have no state-level setbacks
  - 2 (4%) have general setbacks with no minimum distances
  - 8 (17%) have setbacks that only address public roads, highways, and road right of ways
  - 20 (42%) have specific setbacks that include minimum distances
- 



# Definition of Public Trail

Definition for the purposes of this proposal means:

a pedestrian foot path on Vermont state-owned public land, maintained, open to the public, and designated and mapped by the managing agency or department.





# *Issue 5: Humane Dispatch*

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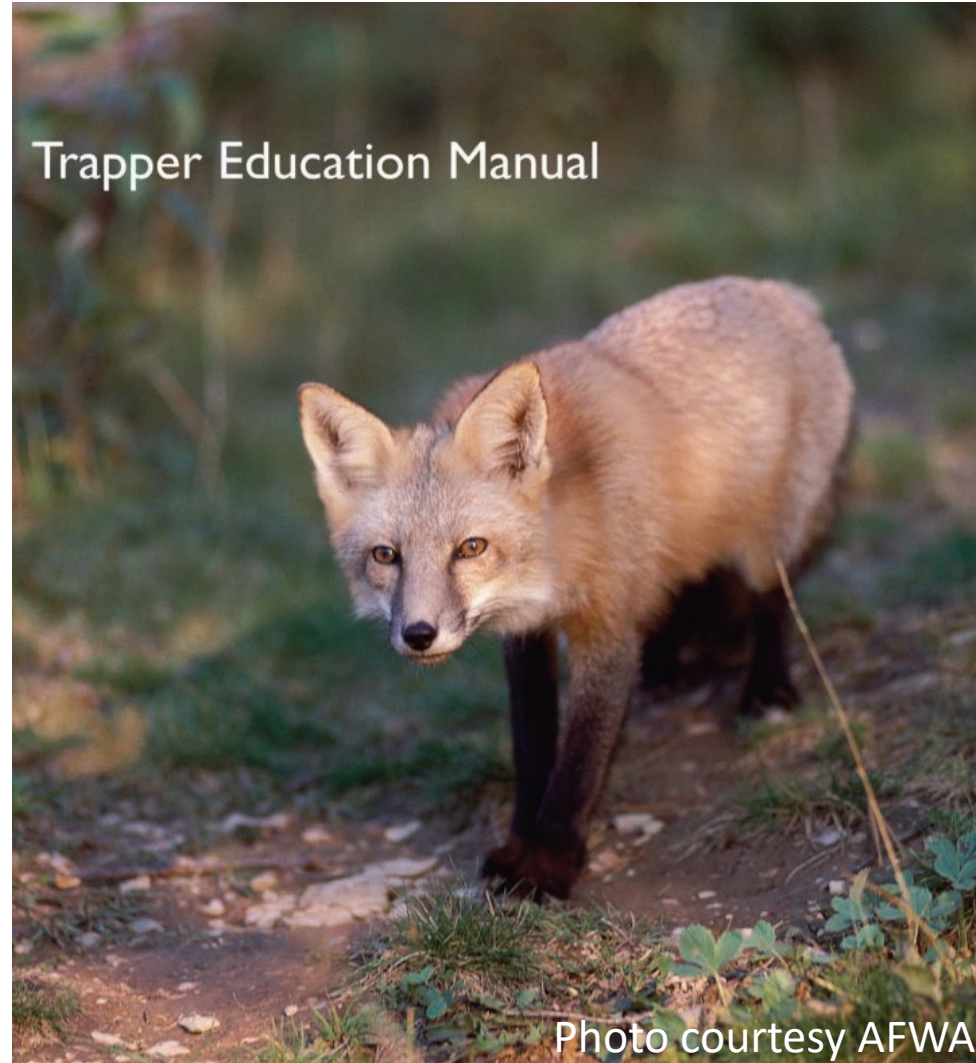
There was unanimous support to wait until the Association of Fish and Wildlife Agencies develops dispatch recommendations as long as the Department agrees to commit to revisiting this once they come out.



# Trapper Education

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- To be eligible to purchase a Vermont trapping license, a person must show proof of a previous or current trapping license from any state or Canadian province or a certificate showing satisfactory completion of a trapper education course, in any state or Canadian province.
- Vermont Trapper Education courses align with national standards set forth by AFWA and the International Hunter Education Association (IHEA).
- Standards/core curricula stress learning objectives related to **safe, legal, respectful, and responsible** trapping.





# Trapper Education

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- Standards/core curricula stress learning objectives related to **safe, legal, respectful, and responsible** trapping.
- General curricula includes:
  - Wildlife ecology and management
  - Personal responsibility and behavior
  - Safe trap handling
  - Field practices
  - Trapping regulations, laws, and ethics
  - Wildlife identification
  - Trapper best management practices
- Courses are at least 6 hours in-person with homework required before class



Photo courtesy Valley News

# Trapper Education

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- Who are the instructors?
  - Volunteers
  - Game Wardens
  - A mix of ages, experiences, and locations around Vermont – 17 instructors total
- How are they certified?
  - Background check
  - Fingerprinting
  - In-person training
  - Apprentice/student teaching
  - Requirements to stay active



Photo courtesy VTFWD

# Trapper Education

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- Who are the students?
  - Anyone can take the trapper education course
  - Course and all materials are free
  - Students must display safety, responsibility, maturity, and pass the final exam.

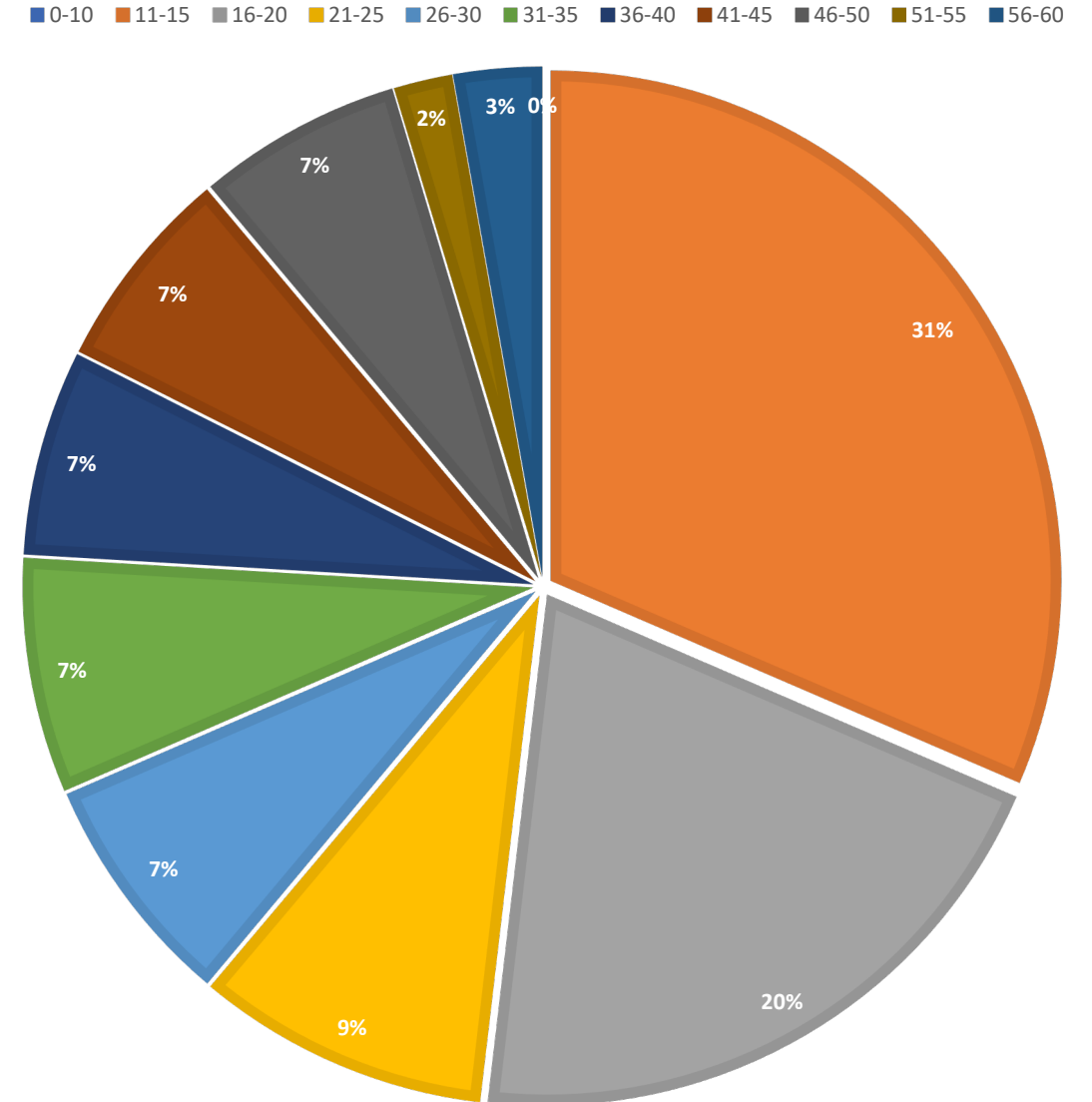


Photo courtesy VTFWD

# Trapper Education

- Students by the numbers for FY22 (July 1, 2021 – June 30, 2022)
  - Total Students: 123

VERMONT TRAPPER EDUCATION STUDENTS  
BY AGE

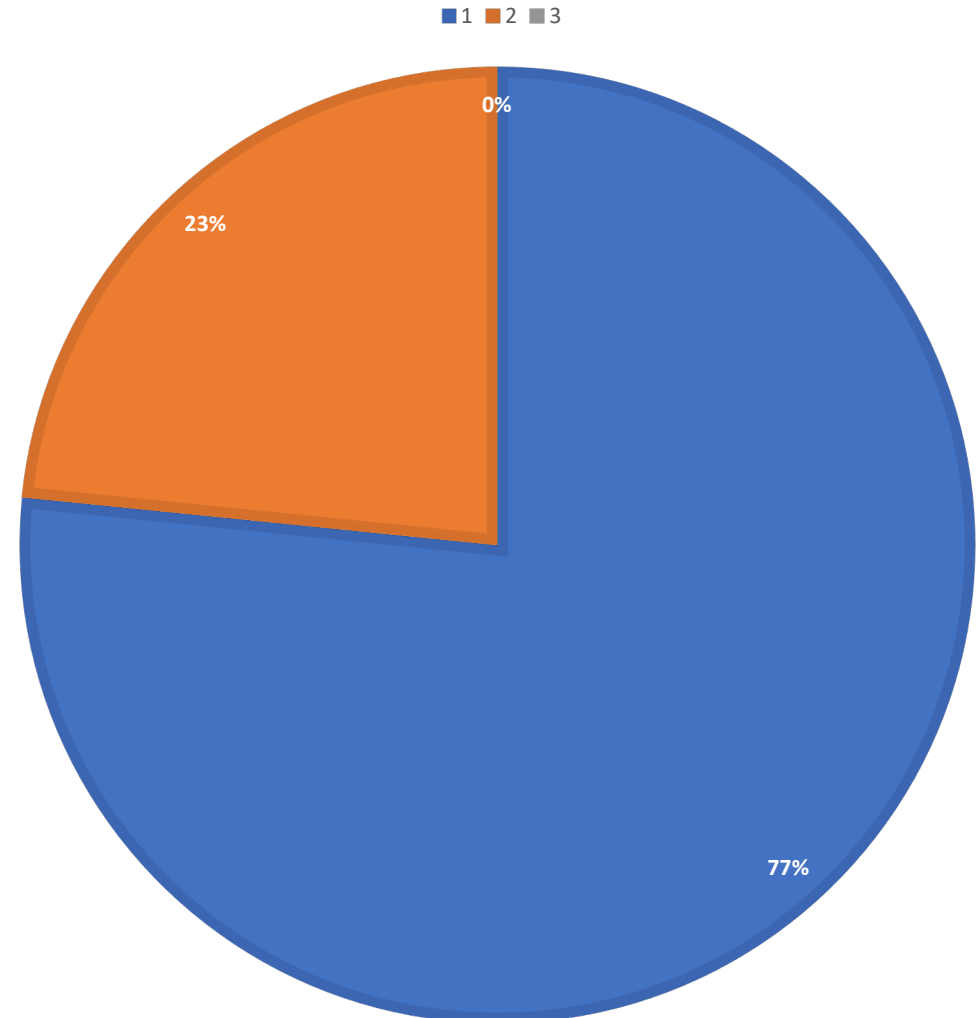


# Trapper Education

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- Students by the numbers for FY22 (July 1, 2021 – June 30, 2022)
  - Total Students: 123

VERMONT TRAPPER EDUCATION STUDENTS BY GENDER IDENTITY

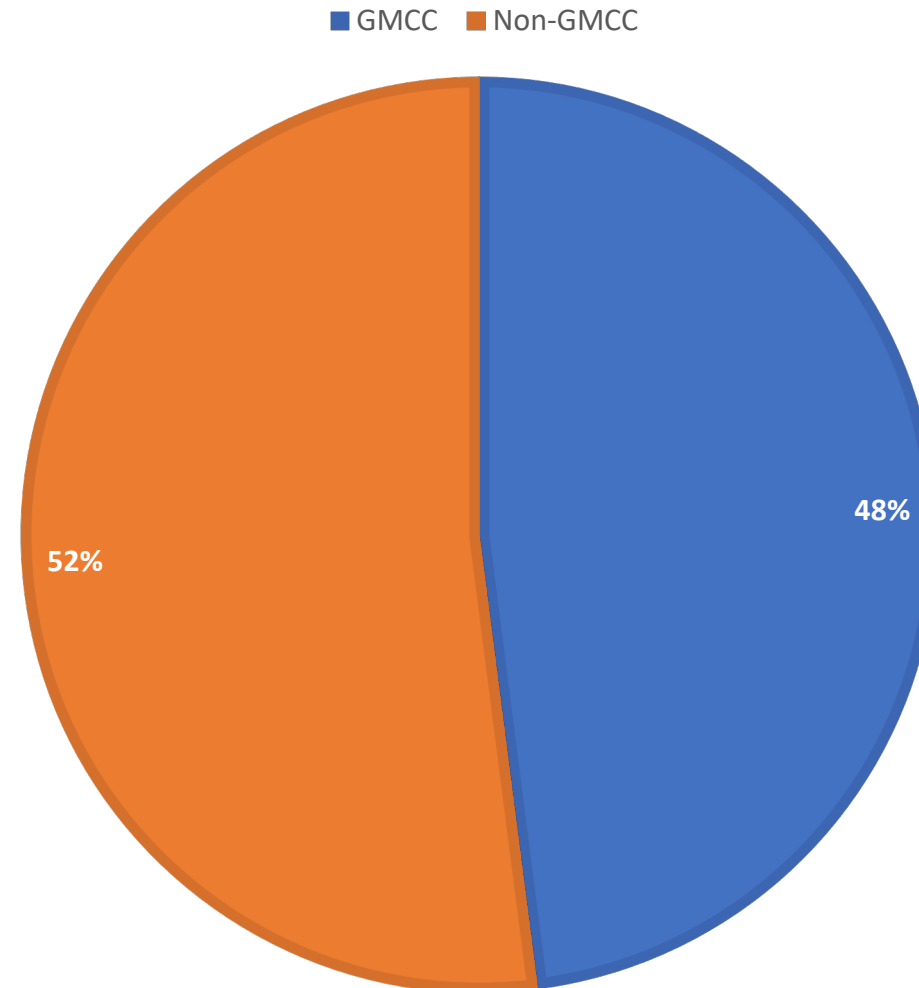


# Trapper Education

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- Students by the numbers for FY22 (July 1, 2021 – June 30, 2022)
  - Total students certified: 123
    - GMCC: 59 (students have options)
    - Non-GMCC: 64

VERMONT TRAPPER EDUCATION GRADUATES



# Justification

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- BMP research results indicate that certain mechanical attributes, reflected in the above recommendations, lower injury risk and increase selectivity of trapping systems (White et al, 2021).
- Proposed recommendations are an effective and enforceable solution to improving both selectivity and animal welfare.
- Should reduce the risk of injury and minimize non-target captures.
- Recommendations exceed the BMP requirements

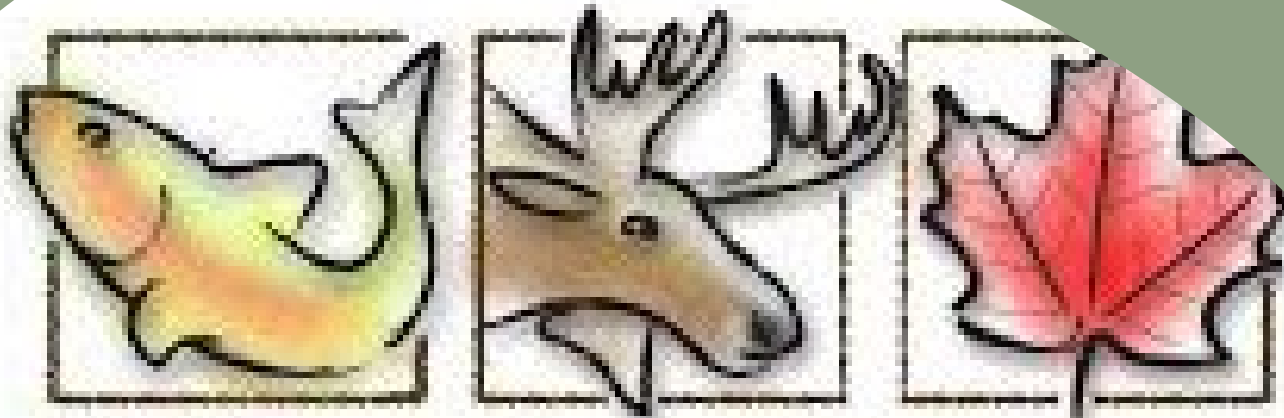


# Next Steps

- Presentation to Board (March 2023)
- FW Board 1<sup>st</sup> Vote (April 5<sup>th</sup>)
  - Furbearer Rule Amendments
- ICAR (May 8<sup>th</sup>)
- File with Secretary of State (May 12<sup>th</sup>)
- Public Comment Period Begins (May 17<sup>th</sup>)
- Two Public Hearings (June 19<sup>th</sup> to 21<sup>st</sup>)
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- FW Board 2<sup>nd</sup> Vote (July 19<sup>th</sup>)
- LCAR (August 19<sup>th</sup>)
- FW Board 3<sup>rd</sup> Vote (Sept. 20<sup>th</sup> or Oct. 18<sup>th</sup>)







VERMONT

respect. protect. enjoy.

*Canis soupus:*  
Canid Genetics in Vermont



# History of Wolves and Coyotes in the Northeast

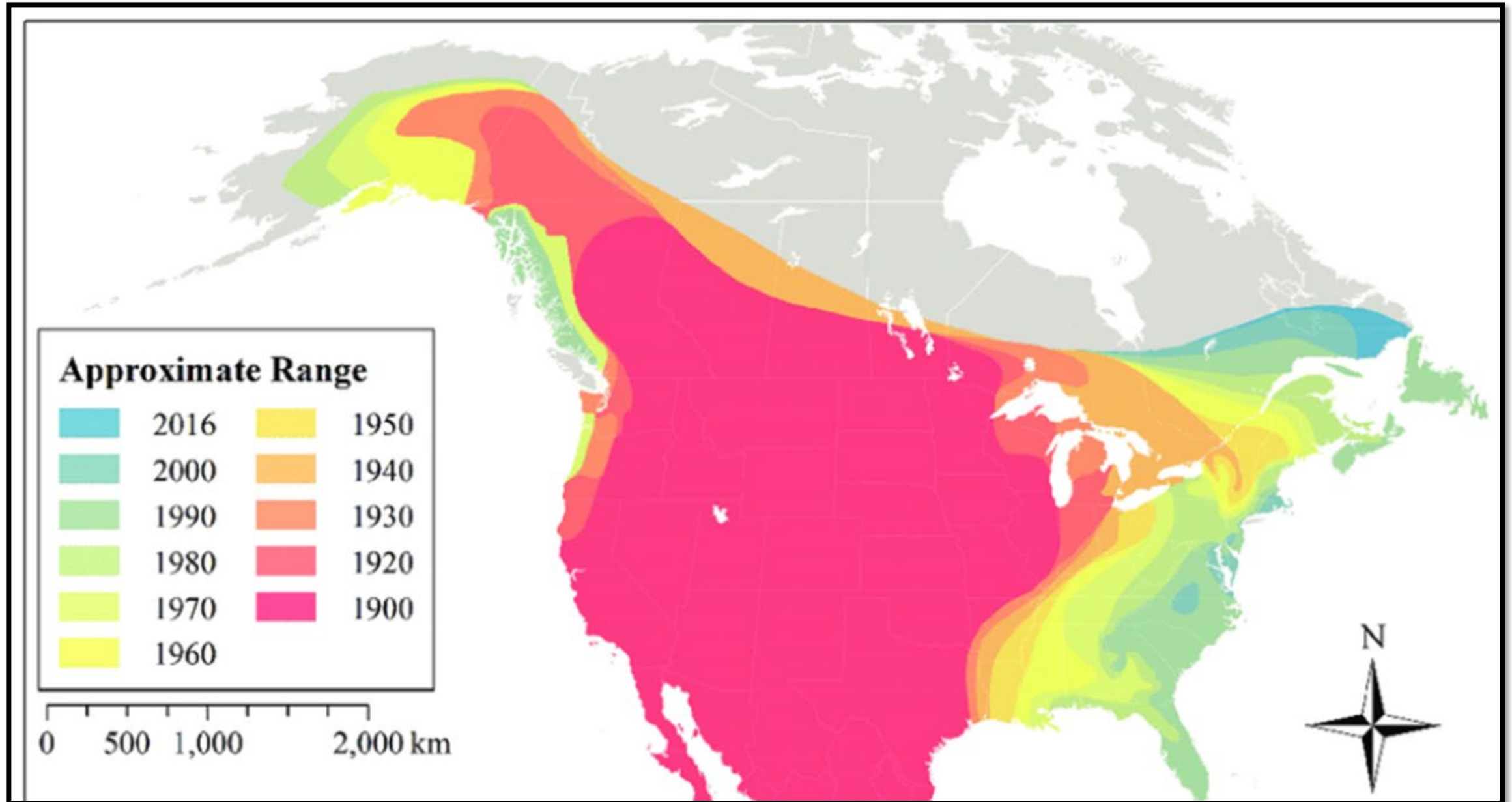
- Late 1890's:  
Wolves extirpated (NY)

Eastern forests went from 95% to 30% by 1850

Habitat differences that led to coyote expansion



# Western Coyote Expansion (Hody & Kays 2018)



Gray Wolf

Eastern Wolf

northern  
boreal  
forests

1918

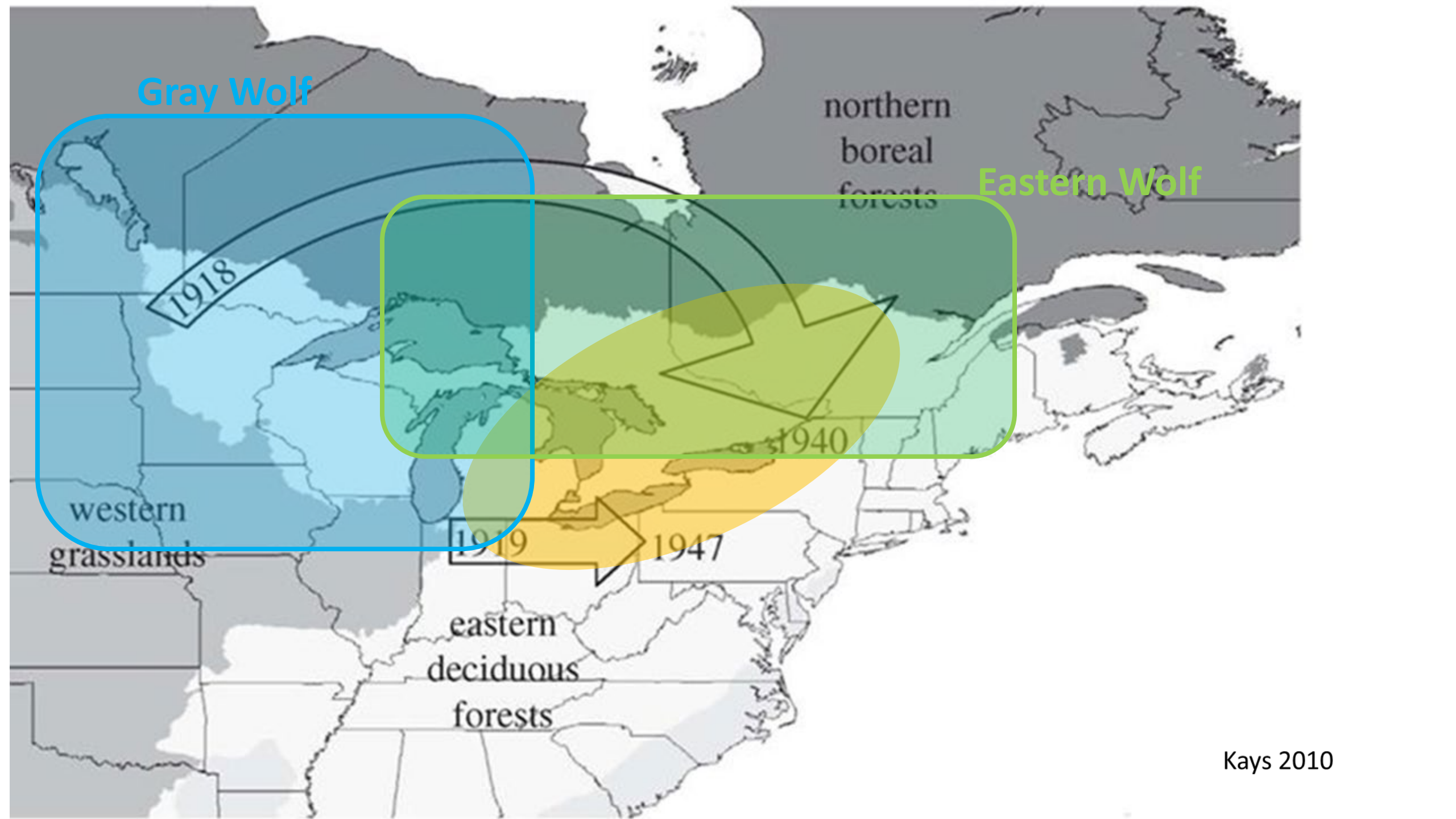
1940

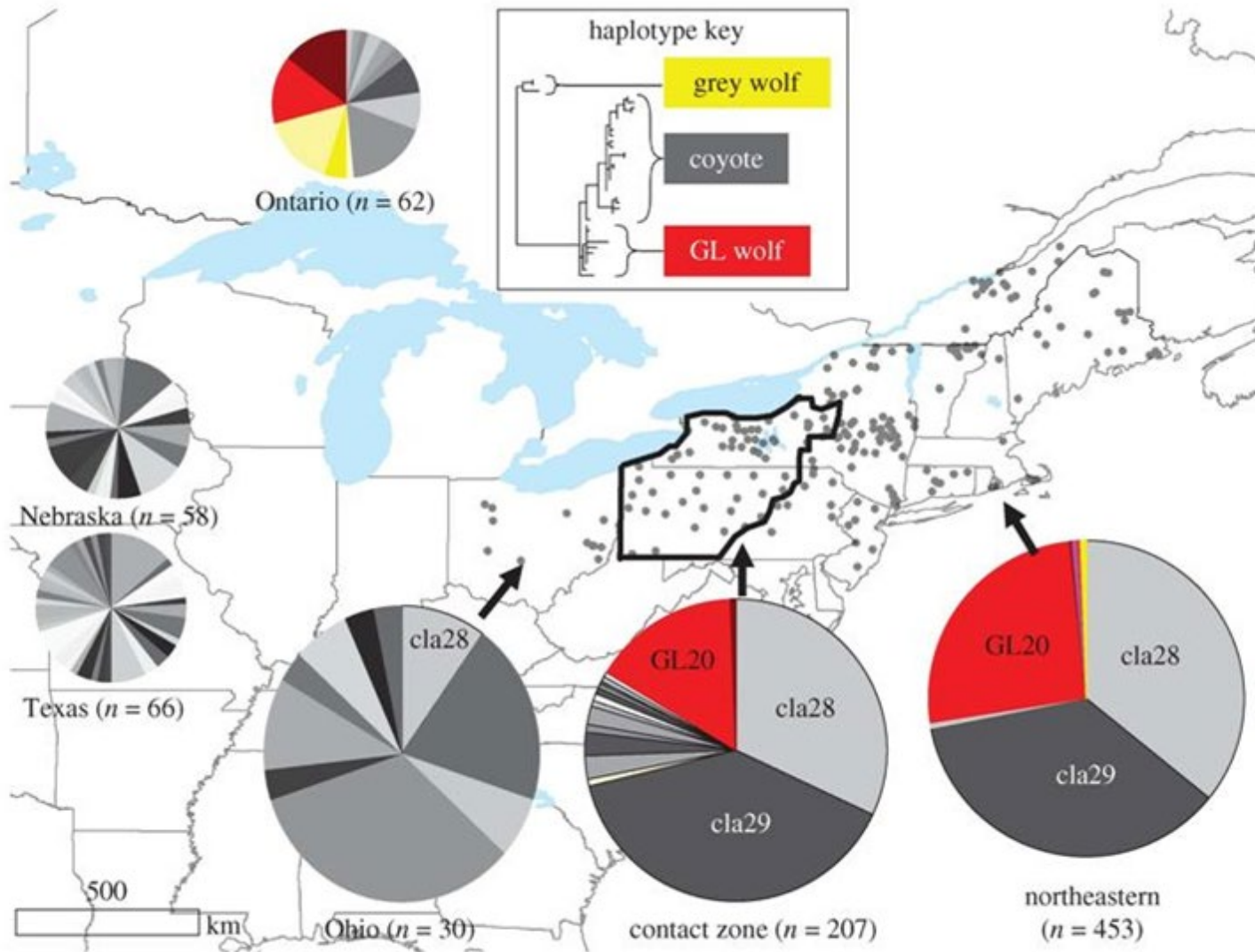
1919

1947

western  
grasslands

eastern  
deciduous  
forests





“Coyotes” in the Northeast are mostly (60-84%) coyote, with lesser amounts of wolf (+/-25%) and dog (8-11%). (Kays 2009)

Hybridization with both gray wolves and coyotes makes it taxonomically challenging, not necessarily a bad thing



WHO  
AM I?

- Smaller subspecies of gray wolf, potentially the result of historical hybridization between gray wolves and red wolves
- Hybrid of gray wolf x coyote
- A distinct species, *C. lycaon*, closely related to the red wolf

# Eastern wolf most likely distinct species prior to coyotes



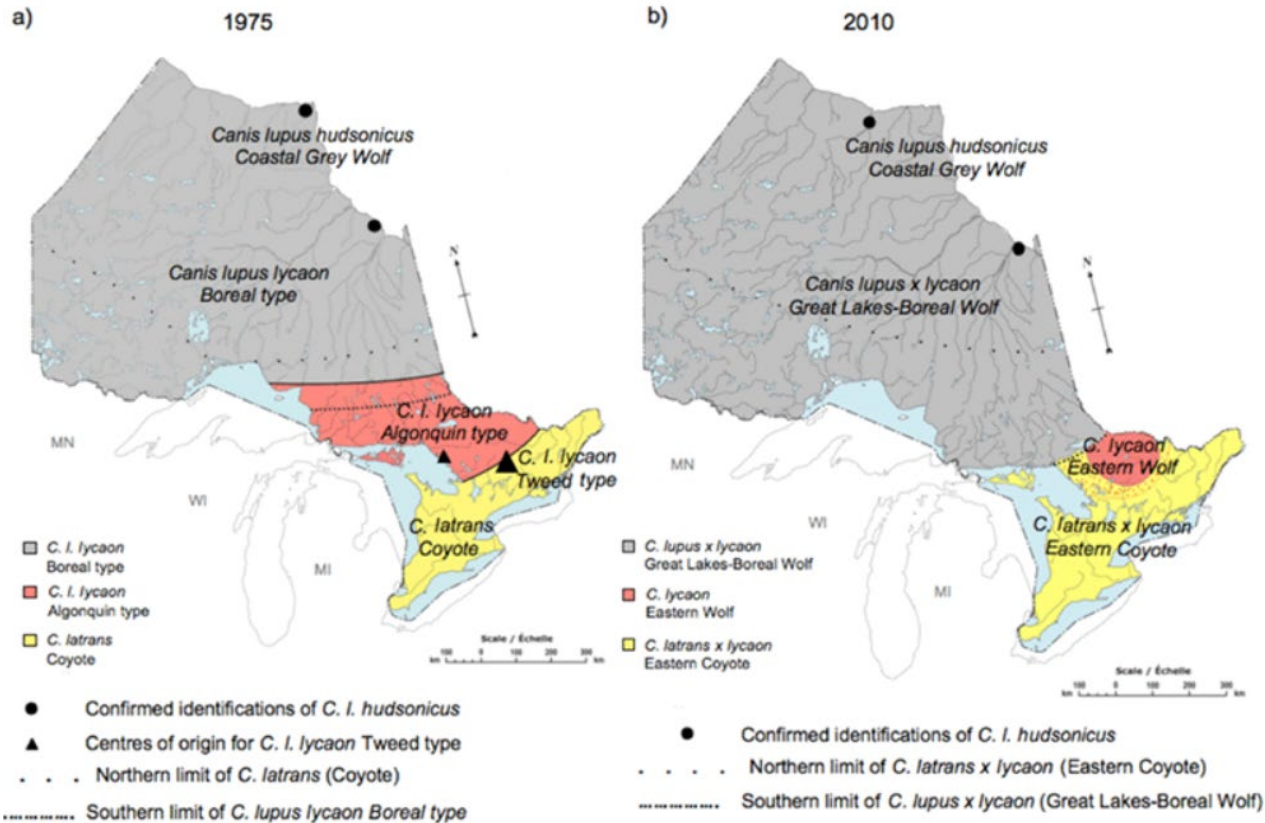
Historical abundance data is unavailable

VT bounty records say "wolf"





# Algonquin Provincial Park



- Wolves in Algonquin Provincial Park are best pure samples of eastern wolf from those that think it's a distinct species

- Limited territory


- “Threatened” status

- *Status in US?*



## Eastern Wolves in Vermont? It's complicated.

- Genetic swamping
- Limited by competition with coyote
- Unreliability for species ID
- Public attitudes
- Habitat
- Broad cooperation with neighboring states
- **We need to first figure out what species we are dealing with!**

A grayscale photograph of a coyote standing in a field of tall grass. A dog's head is perched on the coyote's back, facing forward. The scene is dimly lit, creating a somber and naturalistic atmosphere.

# Hunting Coyotes with the Aid of Dogs

Regulation Update: 3/15/23

# Hunting Coyotes with the Aid of Dogs: Board Charge

## **Act 165**

- Directed the F&W Board to regulate the practice
- Enacted a moratorium (7/1/22) until a rule is passed
- Addressed:
  1. Permits (no more than 100, up to 10% non-residents, fees, etc.)
  2. Nonresident training season is tied to home state
  3. Landowner permission (written for posted land; penalties for non-posted land if, in the previous 365 days, law enforcement has informed a member of the hunting party that hunting dogs are not permitted)

# Hunting Coyotes with the Aid of Dogs: Board Charge

## **Board Rule must include:**

1. A limit on the number of dogs.
2. A prohibition on the substitution of any new dog for another during pursuit.
3. The legal method of take for coyote pursued with dogs.
4. A definition of control that minimizes the likelihood that dogs will enter land that is posted against hunting or where the pursuit of coyote with dogs is not authorized.
5. Provisions to encourage persons pursuing coyote with the aid of dogs to seek landowner permission before entering or releasing dogs onto land that is not legally posted.
6. A reporting requirement for every coyote killed during pursuit with the aid of dogs.

## **Board shall also consider:**

- Seasonal restrictions
- Baiting

# Hunting Coyotes with the Aid of Dogs: **Process**

## **Stakeholder Input Group**

- Not required by legislature
- Provided input/feedback on a draft rule
- Included animal rights groups, landowners, farmers, hound hunters, F&W Board members, and State Game Wardens
- Regulation preference survey (10/2022)
- Independently facilitated discussion of draft rule (1/10/2023)

# Hunting Coyotes with the Aid of Dogs: **Draft Rule**

- Modeled after the Bear Management Rule (T.10 App. § 7)
- Developed by the Warden Service with input from the Wildlife Division
- Consistency
- Enforceability
- Most contentious sections:
  1. Definition of “control”
  2. Pack size
  3. Method of take

## Next Steps

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