

January 30, 2018

To: House Committee on Natural Resources, Fish & Wildlife

Re: Verbal testimony in favor of H.262 & H.590 with amendments

I am Brenna Galdenzi, President of Protect Our Wildlife, a Vermont nonprofit, all-volunteer, grassroots organization with over 2,000 supporters from every corner of the state. My testimony today is in favor of bills H.262 & H.590, and additionally, I ask that you adopt a definition for the term "nuisance" that avoids what's essentially an open season on furbearers. I urge the Committee to review the attached documents that accompany my verbal testimony. The attached are real-life examples as to why this legislation is so vital.

Chairman Deen talked about the wildlife congress that I attended back in 2016 and Fish & Wildlife had hoped that various stakeholders could seek common ground on issues. These bills are a perfect example of legislation that I'd hope trappers and non-trappers would support. It seeks to require that all trappers be held to the same standards that trappers, who trap during the regulated season, are subject to (trapper education, Best Management Practices, advancements in trapping technology etc...)

The Fish & Wildlife Department prides itself on their trapper education course and the importance of Best Management Practices, but they apply only when the trapping activity occurs during the regulated season, between the months of October and March. People who use the very same traps, trapping the very same animals as in-season trappers (foxes, raccoons etc...) are not expected to have any knowledge of trapping just because they're trapping "nuisance" animals? That seems contradictory.

Nuisance Wildlife Control Operators H.262

1.) Requires training and licensing for Nuisance Wildlife Control Operators (NWCOs) and reporting requirements and why we feel that's important.

- Individuals who are paid to trap nuisance wildlife are referred to as Nuisance Wildlife Control Operators (NWCOs.) NWCOs are not licensed, they don't undergo any training in humane standards, safety protocols, or non-lethal conflict resolution options, and aren't even required to have a trapping license. This is not only an ethical concern, but a public safety one as well.
- The Department prides itself on Best Management Practices (BMPs) - these BMPs offer guidance on how to avoid incidental capture of protected animals, including the Canada lynx, which is a federally endangered species. If someone is trapping "nuisance" beaver in the summer, they should know the BMPs to avoid otter capture, for example. According to the VT Fish and Wildlife Department, that due to the current law, they state, *"the Department's ability to influence and track nuisance furbearer control activities in the state is limited. It is reasonable to expect, therefore, that some of this work is being completed by people having little trapping experience and/or limited knowledge of the modern Best Management Practices trapping methods and devices."* I've come across a number of concerns with respect to NWCO activities. One of them is

pictured here. This photo is from a Fairfax, VT NWCO who trapped a turtle in a body gripping "kill" trap while trapping for beaver in the summer. Perhaps if he had training on best practices for NWCOs, this could've been avoided. Another example is a Canada goose who was seen by a turkey hunter flapping her wings last April with a body gripping "kill" trap attached to her leg. The hunter ended up putting the goose out of her misery. The party trapping was a NWCO and was hired to trap muskrats at a culvert in Hubbardton. These are just two examples.

There's also the issue of public safety / consumer protection

- Training would address public safety (humans & pets) and consumer protection. A woman in Colchester asked a NWCO to help her remove skunks from her property but didn't want them killed - the NWCO said he'd do that, but we know that's not allowed since rabies vector species (RVS) cannot be relocated. So either the NWCO misled her and killed the animal off-site or acted illegally or didn't know the law.
- Many of the species that NWCOs deal with are RVS that have very specific handling protocols that NWCOs don't have to follow. Per the Rabies hotline, NWCOs are NOT required to report if they trap a rabies species - even if they are transporting the animal alive offsite to be killed.

Inconsistencies in requirements per Fish & Wildlife

- Since most of the nuisance trapping occurs in the spring/summer months when animals are born, it results in wildlife rehabbers being burdened by orphaned animals whose mother was trapped. And the most ironic thing is that if a good samaritan finds orphaned raccoons, for example, they have to jump through hoops to get the animal to a rehabber who's licensed to handle RVS. This is an inequitable handling of RVS by Fish & Wildlife.
- One of our Board members is a licensed wildlife rehabber and each month he has to submit a detailed report of animals in his care - which we support - but why do people who make money off of killing wildlife have zero reporting protocols? Again, seems inequitable.
- There are very specific requirements (§4826 & §4827) addressing a landowner killing bear and deer that are causing damage - there are zero protocols around killing furbearers. We are not requesting that landowners ask for permission, as with other species, only that they report those animals they've killed in defense of property.

2.) Directs the VT Fish and Wildlife Department to conduct licensing and training for commercial NWCOS and encourage the use of non-lethal options.

- Other states including NH, NY State and CT require NWCOS training/ certification and so can Vermont. CT wildlife advocates actually worked directly with their

Fish & Wildlife Dept to create a NWCO training/certification program - they saw value in it.

- An option would be to have training performed by NWCOs themselves (similar to trappers offering trapper ED) as a possible business opportunity. They'd have to follow a Department approved training manual, but F&W wouldn't have to necessarily host the training themselves.
- Furbearer biologist Kim Royar recently said that her Department's priority is the "utilization" of wildlife. Given that, they should be promoting NWCOs to employ non-lethal options, when available, to avoid wanton waste killing of wildlife. For example, a fox killed in the summer has zero utilization (fur is worthless.)

Define Nuisance

This is not in the bill, but was hoping it could be, is to offer a better definition of what is a nuisance. Animals may be killed if they're *suspected* of being a nuisance in the future! Maine's nuisance definition is: "found in the act of attacking, worrying or wounding that person's domestic animals or domestic birds or destroying that person's property." This would prevent what is essentially an open season on furbearers.

An example of this vague interpretation of what constitutes a "nuisance" happened last year when a concerned member of the community contacted us concerning men hunting raccoons with dogs in the spring. The hunters had taken a photo of raccoon kits hiding in the bushes while their dogs were pursuing raccoons on the property. We were told by the warden that it was allowed because the raccoons ***could*** access the farmer's feed, so

essentially it's an open season. See attached document for more information.

Rep Yantachka's bill, H.590, addresses the lack of reporting of trapped animals (including dogs & cats) and establishes standards for killing trapped animals

This bill evolved out of the 2017 otter trapping hearings (Fish & Wildlife Department supported an extension to the otter trapping season) held by the Legislative Committee on Administrative Rules. Rep Yantachka was surprised to learn that the Department does not require reporting of trapped animals out of season - in this case it had to do with otters and beavers. Furbearer biologist Kim Royar actually acknowledged this gap in reporting and said she's supportive of better reporting. You can view my email to her in the attached.

Protect Our Wildlife also sought to address better reporting with the VT Fish & Wildlife Board back in March 2017 when they were making changes to the Trapper Mail Survey and they never replied to our letter (see attached letter.) It is clear that this will only be accomplished via the legislature - other correspondence is routinely ignored by the Fish & Wildlife Board. One of our members corresponded with the Fish & Wildlife Board, and trapper, Kevin Lawrence where he acknowledged a problem, but she never heard back.

As I read the bill it:

- Requires mandatory reporting of all animals, including dogs, cats and nuisance animals. Thousands of animals are trapped each year and go completely unaccounted for - beavers, foxes, and even animals with relatively low reproduction like otters and bobcats. As a result, we are

missing vital information about the species and number of animals trapped and any trends that may indicate necessary educational opportunities.

- Establishes requirements for killing trapped animals based upon the AVMA guidelines, which will hopefully make gruesome methods of killing illegal in the future. **Wildlife is routinely drowned, stomped on (to crush the heart & lungs), clubbed or strangled without violating the law.** F&W dispatchers have told people to put orphaned wild animals in the freezer as a way of euthanizing and have also advised people to drown animals (see attached letter.)

While taping Pat McDonald's TV show a few weeks ago the Conservation Director from the VT Trappers Association spoke disapprovingly of trappers who stomp on trapped animals to crush the animal's heart and lungs. Why isn't he here to elevate trapping protocols?

- Per Vermont statute, wildlife is a public trust resource, so we all have an interest in wildlife. Therefore, that "nuisance" animal who is killed in defense of property did not belong to the landowner - that animal was here for all to enjoy and while we support landowners' rights to protect their property against wild animals causing damage, we are only asking that they report it.

Thank you for the time.