

January 2019 Minutes as Amended and Approved

Vermont Fish and Wildlife Board

Meeting Minutes from Wednesday, January 30, 2019

The Vermont Fish and Wildlife Board held a meeting at 5:00 p.m. on January 30, 2019 at [1 National Life Drive, Montpelier VT 05620](#) in the Dewey Building.

Members of the Board in attendance: Kevin Lawrence (Board Chair), Theresa Elmer (Vice Chair), David Robillard, Michael Kolsun, Cheryl Frank Sullivan, Bill Pickens, Pete Allard, David Fielding, Brian Wiles, Dennis Mewes, Tim Biebel, Wendy Butler,

Fish and Wildlife Department Staff: Louis Porter (Commissioner), Mark Scott (Director of Wildlife), Maj. George Scribner (Asst. Director of Law Enforcement), Susan Warner (Director of Outreach), Catherine Gjessing (General Counsel), Kim Royar (Wildlife Biologist), Lt. David Gregory (Game Warden), Sean Fowler (Game Warden), and Tom Rogers (Information Specialist).

Members of the Public in Attendance: Rodney Elmer, Brian Bailey

The Board meeting was called to order at 5:01 PM, by Board Chair Kevin Lawrence

1. Approval of October 24th, 2018 Meeting Minutes

Motion: Tim Biebel moved that the minutes of the previous October 24, 2018 Board meeting be approved as drafted. Theresa Elmer seconded the motion.

Vote: Unanimous voice vote in favor of the motion.

2. Public Comments (2 minutes per speaker)

None

3. Lifetime Hunting License Drawing

Board Vice-Chair Theresa Elmer did the drawing. Awarded to: Kevin B. Condon of Brattleboro, Vt.

4. Hunters for the Hungry

Commissioner Porter provided background on the difficulties of getting people to donate already processed meat. Many people already do donate to friends and neighbors. There are concerns about the ability for wardens to maintain a donation list. Currently salvageable dead deer are valuable for them for community outreach and developing positive relationships.

Wildlife Director Scott added that the Department has tried to do this before but there has been little interest among the hunting community. There are several obstacles, but the Department will explore this topic more if there is a lot of interest.

Maj. Scribner stated that wardens do quickly find homes for road kills and that that process does work well. Lt. Gregory spoke about existing relationships with wild game butchers. Warden Fowler said that state licensed butchers don't process wild game meat. The food pantries might take it, but it's hard to get to them.

The Board discussed the pros and cons and the issues of creating a formal Hunters for the Hungry program. Concerns included whether hunters would be willing to donate when it may take them several years to get a deer, whether the meat would go to the needy, as there is no screening at Food Shelves, would other species beyond deer go towards this program. Possibility of creating a Hunters for the Hungry stamp or sticker to defray the cost. Perhaps the Department will consider including this in the outreach to deer hunters when surveying them on deer regulations.

There was discussion of a successful similar program initiated by Board Member Michael Kolsun which collected 550 pounds of meat for hungry Vermonters and could serve as a model for this proposal. There was support for this program from the Department by offering a liability protection for hunters who donate meat to the program. This support from the Department helped to jumpstart that previous program. Going forward, any new program should establish a system of checking the name, license number, and the type of meat donated by a participant.

5. Trapping in defense of Property for Compensation Regulatory Proposal and Second Vote

Wildlife Director Scott introduced Furbearer Biologist Kim Royar and General Counsel Catherine Gjessing to discuss the current rulemaking proposal and public comments received for the trapping of rabbits and furbearers doing damage to property for compensation.

Catherine Gjessing summarized the written comments. Of the approximately 166 public comments received, 3 people simply opposed everything, 4 people who generally supported everything. 21 people said snares should be banned. 13 people said trapping should be banned. 41 people said they supported the changes, but snares should be banned. 84 said they support the proposal and that it doesn't go far enough and suggested additional mandatory training and special licenses.

A few had substantive feedback – including concerns about 4.12 and what's prohibited when dealing with dens, generally from folks who trap and stated that it would limit their ability to address nuisance issues. Others had concerns about 4.11 and whether the prohibition against the use of poisonous mixtures, prohibited moth balls, carbon dioxide or carbon monoxide. One person said allowing people who trap for compensation to possess wildlife should be clarified to make it clear that possession is temporary and only for certain purposes. The suggestion was to add 4.8 with clarifying language. There were also some

expressions of concern regarding threatened and endangered species.

Mark Scott reiterated that there was some confusion about the changes at the public meeting given there are legislative changes along with the proposed rule. Several people at the public hearing requested that we define compensation and expressed similar concerns about 4.11 and 4.12.

Kim Royar gave a short presentation on the proposed changes to the rule at this round of voting. 3.1 defines Compensation as money, it does not include trading or barter. Add 5.20 and with the exception of T&E species, allow the trapping of these furbearers outside of the season in defense of property (nuisance trapping). Changed “taking” of rabbits and furbearing animals to “trapping” of rabbits and furbearing animals. Delete 4.12 which entails the den prohibitions which included “chemicals” being banned because things like carbon dioxide and carbon monoxide, considered among the most humane methods, would be not be available to compensation trappers.

Board discussed the rule changes.

Additional rule changes highlighted by Catherine were 4.8 which allows temporary moving of wildlife for euthanasia. Also 4.11 might need to be removed because that would remove the ability to use chemicals such as carbon monoxide.

Board Member Bill Pickens suggested changing a rule about beaver trapping in March that hasn’t been updated due to the changes to the otter rule.

It was suggested that 4.8 relating to possession be added to apply to compensation trappers with the language “Possession is allowed for the purpose of moving the animal to a more appropriate place for the purpose of euthanasia.”

It was suggested to leave 4.11 in the rule so that it applies to compensation trappers, but with the addition of “unless the animal has already been trapped.”

Suggested striking 4.12.

Change 5.20 to 5.19 to remain sequential in order.

6.0 Delete “taking” and substitute “trapping in the header.

6.1 deleting nuisance, adding “in defense of property” and adding several things. (MIGHT NEED TO CLARIFY THIS WITH CATHERINE).

Board Chair Kevin Lawrence suggested making the changes and reviewing this in February instead of having a second vote at this meeting.

Motion: Bill Pickens made a motion to move this to February, Pete Allard seconded.

Vote: Voice vote all in favor, none opposed.

6. Commissioner’s Update

Read a brief written update on the baitfish rule by Adam Miller and asked anyone with questions to

contact him.

Waterfowl hearing locations are firmed up. Two meeting locations this year rather than three due to generally sparse attendance. March 12 in Whitehall Senior Center in NY, March 14 Winooski High School, Performing Art Center.

Thanks to the Board members for a good day at the deer trainings.

CWD Meetings are coming up – first one cancelled due to weather, next is Barre tomorrow night, then Mendon Fish and Game.

Fishing Festival was huge this year 770. Many people caught fish, big pike taken by person's first fish through the ice. Drew Price was recognized as the first master angler to catch all 33 species.

Asked if the next Board meeting on February 27 works? Members replied that it does.

Summary of preliminary 2018 Harvest data was given out. This is a challenging winter to date for deer with winter severity.

We sent out an electronic survey to license 2018 license buyers who indicated they hunt coyote and bobcat. There has been confusion and concern whether this was a legitimate department survey. Department will be re-contacting everyone who received the initial survey.

Highlighted the Rumble Strip Vermont story that profiled Warden Jeff Whipple.

Only one major Fish & Wildlife Department proposal in this legislative session – to tweak to moose hunting statute to have auction and veteran permits be a percentage rather than specific number and propose that the department can suspend the requirement that people have to apply to keep their bonus points, when issued permit numbers are low. There will be several other bills introduced that Department will need to follow.

Budget issues result in potential closing of Salisbury Fish Culture Station. This will severely affect our ability to stock trout. We're anticipating a phased approach. Salisbury needs a \$12-13 million upgrade to meet water quality standards.

7. Board Member Roundtable Discussion

Motion: Tim Biebel motioned for the meeting to adjourn. Kevin Lawrence seconded the motion.

Vote: The Board voted unanimously to adjourn.

The Board Meeting was adjourned by the Chair at 6:50 PM

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.