

Trapping Best Management Practices Working Group Meeting Minutes (Third Meeting)

Thursday, September 8, 2022

The Trapping Best Management Practices (BMPs) Working Group held a meeting beginning at 5:00 pm on Thursday, September 8, 2022, at the National Life Building in Montpelier.

Members Present: Joanne Bourbeau, Chris Bradley, Senator Christopher Bray, Tom Decker, Brenna Galdenzi, Michael Kolsun, Kevin Lawrence, Bruce Martin, Robert Mullen, Martin Van Buren, Game Warden Lt. Sean Fowler, Game Warden Michael Scott

Absent: Representative Amy Sheldon

Fish and Wildlife Department Staff Present: Director of Wildlife Mark Scott, Working Group Leader Kim Royar, Wildlife Management Program Manager David Sausville, Specialist Chris Saunders, Wildlife Veterinarian Dr. Walt Cotrell, Public Information Officer Joshua Morse

Agenda Items

- A. Introduction & Housekeeping
 - 5:00-5:10 opening remarks - TBD
 - 5:10-5:20 review of August 23 minutes
 - 5:20-5:30 review of the five consensus points
 1. Consent to discuss a setback proposal
 2. Consent to discuss the VTA petition
 3. Consent to discuss exposed bait
 4. Consent to discuss regulation of killing traps on land
 5. Consent to discuss dispatch

- B. Presentations/ Questions from last meeting
 - 5:30-5:35 Incidental take summary
 - 5:35-5:45 questions
 - 5:45-5:55 Update on AFWA methods of dispatch efforts
 - 5:55-6:10 questions
 - 6:10- 6:20 Species specificity of BMP traps
 - 6:20—6:35 questions
 - 6:35-6:40 Circle back re: legitimacy of research effort

 - 6:40-7:05 Dinner Break

- C. Full Group Discussion
 - 7:05-7:30 Each interest group presents their position document to the full group (5 minutes), and fields high level clarifying questions
 - 7:05-7:20 HSUS/POW/VWC position document and questions
 - 7:20-7:35 VTA/VTC/VTFS position document and questions

7:35-7:40 Break

D. Stakeholder Group Breakouts

7:40-8:15 Blue and Green Groups review the two position statement documents and generate lists of:

- 1) consensus areas
- 2) potential compromise/need more information areas
- 3) non-consensus/remove from consideration areas

8:15-8:25: Blue and Green Groups each take 5 minutes to share back their three lists, to seed discussion for the following meeting. The goal is to have an accurate record and awareness of each group's progress by the full team going into our fourth meeting.

E. Closing Points

8:25-8:30 set the stage for the next (final) working group meeting.

The meeting was called to order at 5:00 pm

AGENDA ITEM A

Morse reviewed 8/23 minutes and addressed questions from Bourbeau and Galdenzi on setback language, consensus points, and drowning sets. Mullen clarified his interpretation that consensus state owned public land setback excluding WMAs was a starting point. Royar reviewed the five consensus points to date and reviewed the working group ground rules. Morse reminded the group that it is important to bring up issues of concern when they emerge.

AGENDA ITEM B

Royar summarized trapper mail survey results on non-target takes in season. Lawrence asked if this is aggregate data, Royar confirmed that it is.

Galdenzi asked whether this is the whole list, Royar confirmed this is the total list of in-season non-target takes. Galdenzi asked what data is missing, Royar clarified that it does not include furbearers taken in season. Galdenzi asked whether cats/dogs would be missing, Royar clarified that those are covered in [law enforcement] CAD reports, which are not collected in the trapper mail survey because trappers are required to report domestic animal takes to wardens. Galdenzi suggested it would be helpful to have everything on one spreadsheet.

Royar then summarized the non-target takes outside of season (trapping in defense of property) data, again noting the data comes from the trapper mail survey. Lawrence noted that these are target animals for animal control and asked how we distinguish [between target and non-target species]. Royar explained that ADC trappers identify these as non-targets. Bradley asked about an apparent discrepancy between the graph numbers and the adjacent table on the slide. Saunders explained that the side table are the target species captured by ADC trappers.

Saunders summarized CAD report data from the wardens, specifically captures of cats and dogs and injuries and fatalities among trapped dogs and cats: 35 cases reported by two wardens in the last five years.

Galdenzi stated that prior to 2018 reporting of domestic capture was not required; she also questioned whether a cat can be positively identified as feral. Saunders clarified criteria for determining feral cats. Galdenzi asked if there is a way to formalize CAD data by entering it into a spreadsheet proactively and stated that this information will likely be of greater interest to the public going forward. Saunders acknowledged that this is a good suggestion and clarified that the law enforcement database is not just the Warden Division's—it is used by all state law enforcement agencies. Lt. Fowler explained that the system used—Valcor—has the potential to create a forward-facing dashboard per Galdenzi's suggestion.

Galdenzi asked whether there are no other incidentals data beyond what was shared; Royar confirmed that the department do not have data on [the species Galdenzi asked about, including

raptors] in the CAD report and that trappers are not required to report on at this point. Galdenzi asked to show evidence that herons, hawks, owls, are also caught as incidentals. Royar acknowledged that the department does not have comprehensive data on those species.

Royar then introduced Dr. Cotrell to provide an update on AFWA and AVMA's progress on humane dispatch guidance. Dr. Cotrell explained that there have been many iterations of AVMA guidance on humane dispatch, and that the group has approved the language of humane killing in recognition of the field realities of wildlife veterinarians and fish and wildlife agencies. He clarified that these are guidelines for veterinarians rather than trappers, researchers, and biologists, and that veterinarians have the expertise in situations of euthanasia. The AVMA guidelines also allow for certain other circumstances that make the recommendations imprecise. Cotrell explained that a gunshot is most commonly used and recommended—and clarified that he uses euthanasia, dispatch, and humane killing synonymously—but that other methods like chest compression are allowed in certain circumstances for wildlife when control of the animal is not possible in the way it would be for domestic animals. Cotrell stated that AFWA recognizes the position that is currently represented by the AVMA and is beginning to work on guidelines that will be disseminated to state agencies that shift [humane dispatch] recommendations away from the use of drugs towards tools/practices that may be more available to biologists and wardens. This effort from AFWA is underway, although a clear timeline is not yet available.

Bourbeau asked if AVMA is developing guidance for field euthanasia; Cotrell clarified that it is not AVMA, but AFWA with some contributing veterinarians. Warden Scott noted that Cotrell can be a resource for these conversations going forward. Galdenzi stated that cervical dislocation by a trained veterinarian is very different than recommending it to a trapper in the field. Cotrell suggested this was not necessarily the case, depending on the scope of training. He noted that he had no trouble teaching cervical dislocation to biologists and wardens.

Galdenzi asked how many trappers in the field would bludgeon a coyote or stomp on its chest and suggested that trappers should prefer the most humane method—a head shot. She stated that recreational trapping conditions differ from nuisance control settings. Royar added that department staff do not have expertise to make recommendations on euthanasia at this time, and that the AFWA recommendations would give the department the needed information to incorporate into trainings. She reminded the group that this topic is being worked on at a national level.

Royar then asked the group to consider whether it would make sense to wait for the [AFWA] experts to provide guidance on humane dispatch.

Galdenzi stated that it is quite different for a veterinarian to do something like chest compression as opposed to a novice trapper. Galdenzi reminded the group that a gunshot to the head is a viable option. Royar stated she would like the group to agree to deal with dispatch at a point in time when we have concrete recommendations from AFWA. Van Buren stated that topics like compression could be a starting point if this group has to discuss the topic; Royar noted that this topic and others will be covered when AFWA's guidelines are released.

Royar asked the group whether there was a potential for consensus around waiting for AFWA to develop recommendations on humane dispatch.

Bourbeau expressed concern about the timeline and stated that [the current working group] is our window to work on the topic. Kolsun asked the group to acknowledge that most hunters, fishers, trappers want to make a clean kill that does not leave the animal to suffer. Galdenzi stated that this is an assumption. She acknowledged that many hunters and trappers want to do well and asked those [hunters and trappers] who have those values to rally behind making regulations that prevent those who do not from making inhumane kills. She advised that the group not rely on anecdotal information to determine the intentions of trappers. Decker agreed with Galdenzi that the group should not rely on anecdotal information and that we do not have enough information to assume hunter/trapper intentions. He suggested that this is a reason to wait for the AFWA guidance on proper methods from experts in response to this uncertainty.

Bourbeau stated that she would be more comfortable [with waiting for AFWA guidance on humane dispatch] if the group's recommendation to the commissioner stated that we would review the euthanasia recommendations that AFWA developed when they become public. Royar asked if the group would support including a recommendation to revisit humane dispatch when the AFWA guidance is made public in its report to the commissioner. Bourbeau stated she would be more comfortable with this than with leaving the topic off the group's recommendation entirely. Bourbeau then asked whether gunshot is recommended in trapper education course. Warden Scott confirmed that it is.

Galdenzi asked for her own edification what are the different ways that trappers dispatch animals and why. She expressed an interest in learning the reasons one might use methods other than a gunshot. Royar stated that trappers offering this information would be anecdotal.

Royar returned to the question on the table: "are you comfortable putting something in a report that states our intention to address humane dispatch either through education or regulation once we get something from [AFWA] that addresses it?"

Fowler reminded the working group that we are preparing a recommendation to the commissioner. Following that recommendation there will be an additional year to fine tune proposed regulations through the board. Fowler also stated that as a game warden he does not believe there is any such thing as an instantaneous death and that an instantaneous death is an unachievable end goal.

Lawrence returned to the comment about anecdotal information. He recalled the comment about the commissioner whose dog was caught in the trap and reminded the group that we should not be talking about anecdotes but using facts and data for decision-making.

Bradley asked whether there is any language in regulation or statute that states the preferred method of dispatch. Warden Scott confirmed there is not. Bradley stated that as it seems the preferred method of dispatch is with a firearm with exceptions—e.g. drowning sets—he would be comfortable recommending that the preferred method of dispatch is by firearm with certain exceptions. Galdenzi then asked if the working group can find out what those exceptions are and

stated she would be fine putting it in a report to promulgate regulations based on what is found either through Cotrell or AFWA.

Royar asked whether the group is in agreement that we address dispatch in our recommendation to the commissioner when we have a proposal from AFWA.

Mullen noted that he liked Bradley's point that guidance towards gunshot as the preferred method is not anywhere in the regulations, and that it could be valuable to state that while acknowledging situational flexibility. He would like this to be stated in the regulations.

Decker stated this would warrant more discussion. He is comfortable with a recommendation that when more information from AFWA arrives, the commissioner and board should discuss.

Royar stated: "we will take a vote on waiting to address humane dispatch until we have a report from AFWA but making sure that the intention to do so is stated in the report that goes to the commissioner."

Lawrence clarified that this would be a board determination at that time. Bray reminded the group that the legislature will be receiving recommendation and would want to hear these regardless of enforceability so that the legislature can distinguish between recommendations and enforceable regulations. He expressed his hope the report will include recommendations regardless of their enforceability.

Royar took a vote and all parties present stated they supported this recommendation.

Royar then moved to the question of species specificity in the BMPs. She introduced Decker to explain this. Decker had traps to examine, Royar asked if everyone was OK viewing these while Decker explained the BMP process. No one objected.

Decker went on to explain that the process for vetting these traps was rigorous. Galdenzi noted that it is OK that there is no cable restraint in this sample because they are off the table in Vermont; Decker clarified that they were tested with the BMPs but that he is making no statement about whether cable restraints should or should not be legal in Vermont.

Decker explained that BMPs were written for each species and that each trap was rated for each species so that any given trap can be measured for its species specificity. He explained that this allows user to see that a given trap is suitable for multiple species, and that the capture of a legal furbearer in any given trap during the open season counts as a target capture; the capture of a non-legal species for a given season would count as a non-target.

Decker then explained that there are a handful of species-specific traps and that there are few devices that are designed uniquely for few species. The intent of the BMPs was to be suite-specific towards multiple species, not species specific for a given device.

Royar asked if there were any questions for Decker. There appeared to be none. Mullen stated that this helped to clarify the points from the pre-meeting email exchange.

Royar then revisited the question of the legitimacy of the BMP monograph research. She restated that there are organizations represented in the working group that do not consider it legitimate, and that the group does not need to revisit that conversation beyond noting it is fair to say the legislation referenced the BMP monograph as the foundation for the group's effort as a minimum standard. She asked that the group acknowledge that there are people in this group who have concerns about the BMPs, but to agree to continue to move forward using the monograph as a foundation for this working group.

Mullen clarified that he is fine using the monograph as a foundation for the working group. Kolsun clarified that he raised the point about the legitimacy of the BMP's as a matter of order in case the group comes to an impasse. Bray clarified that the BMP monograph was regarded as a baseline by the legislature, and that the group may have expertise beyond what the general BMP monograph offers. He stated that it was the legislature's hope that the BMP monograph would "prime [the group's] pump" to create VT specific guidelines.

Royar then introduced the post-dinner presentations. She provided the written statement from POW/HSUS and noted that the VTA will not be sharing a written document. Morse reminded the group that if the department staff/organizers request a contribution [from participants] like a written statement or a presentation, it is important that any participants who have issue with that request express their concern in a timely way.

The group broke for dinner at 6:35

AGENDA ITEM C-E

Note: participants chose to cover the topics in agenda item D as a full group rather than in breakouts.

The meeting resumed at 7:02, after dinner.

Bradley directed a question to Bray: “what we’re discussing with this bill is the effect of traps on animals, and an intention to make things more humane and safer—it does not have to do with human safety and welfare, correct?”

Bradley noted that he makes this point because as we look at trails, class 4 roads, recreational areas, places where people recreate etc. from trap setback perspective, the emphasis appears to be on human safety. Bradley asked Bray if what is meant is places where people recreate with their pets.

Royar interjected, reminding the group that the working point of consensus is state owned lands excluding WMAs, and asking if Bray wanted to weigh in further. Bradley asked for further clarification as to whether the working group is concerned about threats to people and stated that if we are not, we are then just focusing on where people recreate with their pets. Bray stated that it is hard to accurately recall what the purpose was and stated that to his recollection the goal is keeping people and pets away from traps. He offered to go back to his committee notes if needed.

Royar then introduced the two groups to summarize their position statements and invited clarifying questions from the audience—noting that the purpose is not to debate points, but to understand what each presenting group means.

Galdenzi presented the HSUS/POW/VWC points (see submitted document for full details):

- VTA petition – this stakeholder group does not oppose it, but they disagree that it is enforceable and beneficial to animal welfare.
- BMPs as the floor, not ceiling, of recommendations based on Act 159, and also noted that this stakeholder group sees serious deficiencies in the BMP process.
- The original POW petition proposed trap setbacks on public lands including all state and federal lands and also other public areas and makes this recommendation – Galdenzi noted that this stakeholder group wanted a more expansive definition than the unanimous consensus point from the last working group meeting (to discuss trail setbacks on state owned public land excluding WMAs). She suggests a 500-foot setback from public trails, class 4 roads, public parks, playgrounds, and other items where people may be expected to recreate per the language of Act 159.
- Use of baits and lures was not in the original recommendation to the Fish and Wildlife Board, but this stakeholder group’s current proposal is whittled down to prohibiting baiting a trap if the bait is visible from the air with the goal of limiting the take of birds that are protected by the Migratory Bird Treaty Act. Galdenzi suggested that the USFWS has been leaning on state agencies to update their regulations, and she hopes the group

does not need to spend much time on this, assuming the department is motivated to minimize incidental take of birds.

- Use of body gripping traps – initial recommendation is to prohibit use of body gripping kill traps on land and to mandate that they are fully submerged, prohibit the drowning of animals in submerged sets and require reporting of incidental takes.
- Galdenzi notes that there will be a dispatch recommendation that will be discussed at a different time, the group is committed to gunshot as the only permissible method to dispatch trapped animals.

Royar asked the group for overarching questions – no clarifying questions were raised. Royar then asked the VTA group to present.

Bruce Martin apologized for not submitting anything in writing, he noted that this was because the VTA Directors had not had time to meet in person and discuss, and that his commentary is only as a representative on this working group:

- Martin stated that the VTA petition regarding BMPs would advance a high standard of animal welfare. Reiterated items on the petition:
 - Require all base plates feature a center chain mount with swivel, with free moving chains that allow mobility for caught animals.
 - All traps can be adjusted for pan tension to allow for species specificity.
 - Anchored traps with a minimum of 12 and max 18 inches chain length.
 - Foothold traps with a minimum jaw thickness of no more than 6 ¼ inches.
- He stated that he sees these points as improving animal welfare that will allow the animal to experience less damage and be mobile while trapped.
- He stated that making this a regulation does come at a cost to trappers—that it will take time and effort and that VTA is willing to make this effort.
- He stated that setbacks from trails on state owned public land other than WMAs, and prohibiting trapping on traveled portions of trails, would be a good starting point that the VTA is able to discuss.

Royar asked if VTA will be able to meet with their directors before the next meeting; Martin affirmed that they will meet next Wednesday and will discuss the items brought up tonight.

Royar asked whether the group wants to discuss the proposals provided by the VTA given that they do not have a written statement. She asked the group on their points of comfort. Martin stated that last week's consensus on setbacks was something he is comfortable discussing further, but that discussing other items will be difficult without weighing in with the VTA's directors.

Royar asked how the group felt about discussing just setbacks and the VTA petition. Kolsun suggested doing this as a larger group. Martin stated having a whole group will be more productive for group dynamics.

Morse asked if there are any clarifying points regarding Martin's proposals. Bray noted that he appreciates the cost to trappers being incurred in any recommendations, and that this is why the

legislature recommended the commissioner look at funding mechanisms to help relieve financial costs. Galdenzi asked whether for some kinds of traps, it may just be a matter of buying a laminate kit or otherwise modify the existing traps. Fowler noted that someone can buy updated parts, but they also have to have the ability to fix a trap (i.e. weld etc.). Royar and Decker also specified that not all traps can be retrofitted to meet the BMP's. Lawrence offered again to show how to modify traps from the kit in his truck, noting that it is a commitment and a skill that trappers need to know how to do. Galdenzi and Bourbeau stated that they would prefer not to fit this in due to limited time. Bray clarified that he did not want the bill to come across as tone deaf to those who may have to modify practices and he wants to make sure there are some helpful options for this based on the commissioner's recommendations.

Royar then suggested that the working group start with the VTA petition, restating the consensus to move it forward and noting the disagreement regarding its efficacy regarding improving animal welfare. She asked if there are any comments on VTA or HSUS's positions on the petition.

Mullen stated that the [working group as a whole] agreed to move forward on the VTA petition. Galdenzi stated that she does not want to waste time nitpicking on a fundamental difference of well-informed opinion. Lawrence asked Decker to clarify if transitioning to BMP traps will improve animal well-being over 1970s traps; Decker confirmed that the BMP features yield a reduction in animal injuries based on past research. Royar further elaborated that the BMPs were designed to move the needle towards improving animal welfare (similar to the way a car seat belt reduces human injury/death), however, the POW/HSUS/VWC stakeholder group is correct that although implementation will significantly reduce harm/injury it will not eliminate it.

Galdenzi asked why, if [the working group] is using AFWA's BMPs we do not accept the research methods from the monograph regarding trap check times (before noon) and dispatch via gunshot. She suggested that there are non-trap specific protocols from the BMPs that could be adopted with benefits to animal welfare. Galdenzi stated that in real life practice the BMP process leaves much left unknown, for instance the impacts of BMP traps that are not ideally suited for certain animals (e.g. a raccoon in a large trap). Decker provided background: the idea behind gunshot to the head was to assure a consistent dispatch wound so that the research veterinarians in the BMP research effort would be able to distinguish from other wounds; the check by noon protocol was designed for standardization and consistency; and when AFWA recommends BMP traps this recommendation is within the context of a daily trap check.

Galdenzi also expressed concern about raccoon self-amputation; Decker noted that many of the traps that failed the BMP review process failed precisely because of the injury rate to raccoons. In sum, he suggested the results of the BMP study should be, and were, designed to be replicable.

Bourbeau followed upon Bray's comment regarding funding trap replacement, and also noted that funding for more game wardens has been raised a number of times and asks that the group find a place for this. **Royar puts this idea in the idea parking lot.**

Royar summarized that there appears to be unanimous consensus to move the VTA petition forward. She asked for other comments [before closing this topic for the evening]:

- Mullen returned to a discussion around gunshot for dispatch. He acknowledged that there will be times when it is not feasible but wanted to suggest a regulation mandate that gun dispatch is recommended unless the trapper thinks it is unsafe in which case, they be required to document why it was not safe and report this to a warden. Royar asked to put this idea in the parking lot; Mullen assented in light of the recommendation to revisit [humane dispatch when AFWA guidance is available].
- Galdenzi asked if the group could talk about underwater sets and body gripping kill traps in lieu of setbacks given the relative time spent on both. Royar asked Martin whether this can be discussed without VTA board conversation; Martin stated that it is unlikely that the VTA will take this up because it is a substantial thing to take away. Royar stated her preference to see VTA have a conversation about this before discussing tonight and asked whether Galdenzi would be OK if Martin brings this up at the upcoming VTA director's meeting and returns with a counter proposal. Galdenzi confirmed that she was OK with this but reminded the group that the POW/HSUS/VWC stakeholder group has already reduced their original 10 items to 4, and that the working group has only really discussed one of those (trap setbacks). This stakeholder group would like to see their other recommendations discussed as well. Royar reminded the group that the group came to consensus around its five items after reviewing the full POW proposal and that this is the process they chose to go through and that she hopes the group can get through those items.
- Fowler reminded the group of the need to circle back on setbacks, noted that the POW petition lays out this stakeholder group's positions clearly, and asked if VTA could look at the full document and come back with comments.
- Decker brought the group back to final comments on VTA petition. He commented that the POW recommendations suggested that the BMP's failed to consider compounding effects of injury. One of the protocols was a cumulative injury score. Traps could fail based on a cumulative injury. Decker summarized that cumulative injuries were an important consideration in the BMP process. He added that it is true that behavioral and physiological responses were not included in the BMP study, but he clarifies that they were considered. It was decided not to include them because of the lack of an ISO standard to measure these—he clarifies that this is different than not considering them. Galdenzi and Decker discussed ways to study animal stress levels based on the peer reviewed literature. Bray clarified that the objection appears to be based on the word 'fails,' rather than 'does not include.' Galdenzi suggested that the public can make an informed decision on whether BMP traps cause psychological stress simply by watching a trapped animal.

Royar restated: “we’ve agreed as a group to move the VTA petition forward – that the VTA petition becomes one of the recommendations that the working group makes to the commissioner and takes a vote.”

Bray abstained, all others consented.

The group took a five-minute break before moving to setbacks. The meeting resumed at 8:07.

Bradley noted for the record that it is 80 degrees in the room.

Galdenzi noted for the record that we know the commissioner is going to take these recommendations to the FW Board and the legislature, and that it is everyone's goal to make sure the recommendations reflect all stakeholders. She requested that the group have time to consider the remaining recommendations. Fowler suggested that we include recommendations that the group did not have time to discuss in the report to the commissioner. Galdenzi reminded the group she hopes to move forward in good faith on the items that met the legislative mandate.

Royar confirmed that the group has voted to move the VTA petition forward and stated that we will now move forward on the other three consensus points. Royar then summarizes the two stakeholder groups' setback proposals:

- Not to set on the traveled portion of the trail (VTA)
- A 500-foot setback from the locations/road types listed in Act 159 (POW/HSUS/VWC)

Galdenzi asked whether people set traps on trails; Martin stated that this was something Galdenzi stated occurred last meeting. Martin asked to confirm whether we are talking about trails on state owned lands excepting WMAs; Royar confirmed the working group is moving forward on this. Galdenzi asked whether the working group are not including the other locations listed in in Act 159.

Royar and Morse state that there was a consensus to move forward with trails on state owned public lands excluding WMAs after substantial discussion at the 8/23 meeting.

Bray asked why the group opted not to include other locations where the public would recreate. Fowler explained that private land types require permission to trap which is why the working group ended up limiting the discussion to state owned public lands. Mullen asked about federal lands and what permissions are included there; Fowler noted that many federal lands often require permissions.

Mullen noted that absence of restrictions on public trails that pass through private lands does not resolve the safety issue there. This is why it seems to him [important] to have some setback on trails other than those on state owned public lands. He suggested there are published trail systems that we could draw on from this.

Bray observed that the NH rule as a starting point is a zero setback; Galdenzi clarified that NH has a permit system for trapping on state owned lands. Bray acknowledged this point and suggested that if one group's starting point is 0 ft, and one's is 500 ft... how do we find consensus? Martin noted that the VTA proposed 0-foot setback (not on trails but no off-set beyond that) is a starting point and he is willing to discuss with the Directors.

Bradley expressed his belief that the working group can establish setbacks (see August 26th email). He noted ANR's Vermont Trail system as a basis (10 VSA 442 Conservation and Development) that specifically lists what is designated as a trail and re-states that the working

group needs a definition for a trail. Bradley states that the group has guidance from statute that could serve as a guidepost. The legislature also has a statute related to parks, playgrounds, etc. from Act 159 (19 VSA 702--highways) on the width and highway and trails, and that we have legislative guidance for parks and class 4 roads—cannot exceed 3 rods. From the centerline, the right of way would be 24.75 feet. He observed that the typical length of a dog's leash may be ~15 feet; others weigh in on this with additional lengths.

Royar and Scott resolved to ask Catherine Gjessing about these definitions of trails.

Bray noted that the ANR VSA 442 trail system does not necessarily include all trails – that more information would be helpful. Bradley confirmed that this would be guidance. Galdenzi added that Kelly's case law on public locations can be another starting place, and that the group continues to overlook the legislative mandate to look at other locations.

Martin reminded the group that VTA is likely to move beyond a 0 ft setback, and that no one in the trapping community traps on a trail.

Mark Scott asked for clarification about trail type; Royar and Warden Scott will ask Catherine to review.

Bray reminded the group that the Vermont Trail System is incomplete, and he would like to know what the trail coverage of the Vermont Trail System is. Royar affirmed that she will ask Commissioner Snyder and Catherine to confirm.

The meeting was adjourned at 8:37 pm
