



November 26, 2018

To: Legislative Committee on Administrative Rules (LCAR)

Re: Otter trapping rule

Dear LCAR members:

Protect Our Wildlife offered input during the rulemaking process for a Fish and Wildlife Board rule that sought to extend the otter-trapping season for an additional month through the end of March. This rulemaking process began during 2016 and culminated in approval by LCAR in the late summer of 2017. As you may recall, we opposed the extension for a number of reasons, as outlined in our letter attached to this email. One concern that we raised about the rule was the accuracy of the Department's estimated change in the number of otters trapped during this extra month, which has now become a reality.

The Vermont Fish & Wildlife Department (VFWD) stated in multiple communications, including their 11-page "Recommendations" report from September 2016, that the number of otters trapped as "incidental takes" in beaver traps during the month of March was between 0-1. They also stated in both that report and their application to ICAR in February 2017, that if the season were extended through

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March “predictably few” more otters would be killed. Also in the “Recommendations” report from September 2016, the Department states, **“The Department would confidently anticipate an additional otter harvest of less than 10 animals statewide.”** Further, in a letter to LCAR dated **July 11, 2017, Commissioner Porter wrote, “The Department scientists have concluded that the extension of the otter season will have no effect on the otter population in Vermont regardless of whether 1 or 10 more otters are trapped in March.”** Based upon this information, the rule change was presented and approved as a fairly inconsequential change that would allow for the utilization of a small number of otters (0-1) incidentally trapped during March.

**Now that we have data from last year, we know that 19 otters were reported trapped during the month of March, which is almost twice the high end of Porter’s July 2017 prediction and up to 20 times the number of otters previously taken during this month.** In fact, March otter kills represent 18% of the entire 2018 otter-trapping season, hardly a trivial amount. Throughout public hearings POW repeatedly asked VFWD how they could accurately predict how many otters would be trapped in March if the season were extended because of the paucity of reliable data.

Given that otters face various threats, including water pollution, specifically mercury, that can negatively affect reproduction and survival, we remain concerned. Otter pelts are virtually worthless in the current fur market, yet 109 otters were reported trapped during the official season (*which does not account for otters trapped and killed as “nuisance” animals or animals who were not reported.*) What happens when/if the demand for otter pelts increases and the effort increases? What types of measures are in place to

ensure that otter populations will not be impacted? Otter fecundity is relatively low, so they are less able to respond quickly to excessive mortality. Unlike hunters, trappers cannot target a certain sex or age of a species, which only compounds our concerns about the future of Vermont's otters.

On average, we've seen an astonishing 60 percent decline in the size of populations of mammals, birds, fish, reptiles, and amphibians in just over 40 years according to World Wildlife Fund's Living Planet Report 2018. The top threats to species identified in the report link directly to human activities, including habitat loss and degradation and the excessive use of wildlife, to include trapping.

Just as importantly, it appears VFWD's initial estimate of otter mortality in March if the season were extended was understated. This is not surprising to us given the often speculative, anecdotal and incomplete nature of the information collected by the VFWD, but it does raise concerns as to whether these recommendations should be taken seriously in the future by the public and lawmakers. We believe that effective wildlife policies must be based upon sound science, and the disparity between "estimates" and real data in this case only serves to heighten those concerns.

Respectfully,

A handwritten signature in black ink that reads "Brenna Galdenzi". The signature is written in a cursive, flowing style.

Brenna Galdenzi  
President