



September 6, 2018

Dear Members of the Vermont Fish & Wildlife Board:

As a result of legislation (H.636) that was passed in 2018, your Board now has the authority to promulgate rules pertinent to killing wildlife for compensation performed by Nuisance Wildlife Control Operators (NWCOs). Currently, NWCOs - also known as Animal Damage Control (ADC) operators - are not required to undergo any training specific to NWCO work, including humane standards, safety protocols, or non-lethal conflict resolution options. Other states have successfully implemented NWCO training and registration requirements, with some states such as NY and CT having robust training manuals and programs. The furbearer biologist from New Hampshire Fish & Game actually provided testimony to the Vermont legislature on H.636 last January speaking in favor of their state's NWCO program.

This issue is of particular interest to us as we see it as an opportunity for both wildlife advocates and your Board to work together to ensure NWCOs are well trained, offer sustainable solutions and operate in the most humane manner possible. We are happy to read that Board Chair Kevin Lawrence recognized that NWCOs deserve some scrutiny in an email exchange with a POW member attached.

Due to lack of regulation, NWCOs operate in the absence of any meaningful guidelines or oversight. They charge homeowners significant money to trap and kill wildlife, which results in the

Protect Our Wildlife
PO BOX 3024
Stowe, VT 05672
www.ProtectOurWildlifeVT.org

killing of non-targeted animals and leaves dependent young orphaned. If the original attractant isn't addressed (den site sealed, food sources removed), then the homeowner finds they have a recurring problem. Trapping and killing doesn't solve nuisance conflicts, it merely creates a vacuum for other animals to inhabit. That is why the most effective wildlife conflict control strategies involve evicting and excluding wild animals as a family unit, then sealing their entry holes so that the problem is solved permanently.

Training specific to NWCO work would address out of season trapping scenarios that may not be covered in the newly required trapper-training course. For example, if a NWCO is trapping "nuisance" beaver in the spring or summer, s/he should know the Best Management Practices (BMPs) to avoid non-target otter capture and more importantly, how to install water flow control devices so that landowners or municipalities who prefer a long-lasting solution, can opt for this highly effective method.

We've come across a number of incidents in which animals were injured or killed unnecessarily due to what appears to be gross negligence or a lack of training for NWCOs. One of them is included in an attachment titled: Fairfax Turtle. The 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 undergone NWCO training, this could've been avoided. Another example is a **Canada goose** who was seen by a turkey hunter in May 2017 flapping her wings 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. There was another recent case of a **blue heron who was trapped** in a beaver trap set by a NWCO in Proctorsville in August 2017. A NWCO in Bennington was routinely killing opossums because he thought they were a rabies vector species. Not only are opossums not a RVS, they rarely contract the disease due to their low body temperature.

We have experienced too many examples of NWCOs who act unethically in their business, with the consequences being extreme animal suffering. One such example is a NWCO who was hired to trap skunks and groundhogs in White River Junction in July 2017. A mail carrier reported that an animal had been caught in a cage trap and was left in the trap in the hot sun for days – the animal ultimately died, likely due to heat stress and dehydration.

Another example of extreme suffering was two summers ago in Windsor. Traps were set for beaver by a NWCO, but trapped a mother raccoon and her baby instead. The raccoon kit chewed through her leg to free herself, but ultimately both the kit and the mother died. You can view the photo attached that was taken by a by-stander - see: [Windsor raccoon](#).

These are just a few examples – we are looking to the Board to use its rulemaking authority to take all steps possible to prevent needless injuries and death of non-target species like these and also prevent potential public safety and consumer protection issues.

Below you will find an outline of our three requests for conditions to include in the rules that cover permitting, criteria for issuance, and training of NWCOs.

A. Permit required

A wildlife control operator permit may be issued by the Commissioner and will be valid for a term of two years and may be renewed according to a schedule established by the Commissioner. Prior to issuance of permit, the applicant must complete a VT NWCO training course. Applicants must have no convictions for any animal-related offenses.

B. Training course

The Commissioner of Fish and Wildlife will establish a NWCO course. The course shall provide training or instruction addressing:

1. Site evaluation
2. Methods of nonlethal conflict resolution including training that covers: frightening and hazing devices; repellants; one-way door and other eviction methods; exclusion methods (home-proofing strategies, etc); habitat modification; preventing orphaning; release and relocation considerations/protocols, and live trapping
3. AVMA-approved euthanasia methods for wildlife; and
4. Techniques to prevent problem recurrence
5. Public education – the public should be given a “Client Notification” flier that outlines the types of non-lethal and lethal methods available for resolving wildlife conflicts. That way the client can make an informed choice.

Other states including NH, NY and CT require NWCO training/ certification and so should Vermont.

In Connecticut, wildlife advocates (from the state wildlife rehabilitator association and the state NWCO association) actually worked directly with their CT Department of Environmental Protection to create a robust NWCO training/certification program, which their agency saw tremendous value in.

C. Require reporting

NWCOs kill untold numbers of wildlife each year, including some species whose populations may be on the decline, such as grey fox and otter. Trappers are required to report what they kill each year (as of 2017), so why would we not require NWCOs to report? How can Vermont Fish & Wildlife be confident in their management of furbearers if they have no idea how many of these animals are killed in addition to the regulated trapping

season? Of course, this reporting is only as good as the data the trappers/NWCOs choose to submit, but it is better than no data at all.

Vermont's licensed wildlife rehabilitators are required to submit detailed monthly reports to Fish & Wildlife on the animals in their care, so why would people who are killing wildlife for profit not be required to file reports as well? It only makes sense for the Department to capture as much information as possible in order to effectively manage wildlife.

Contradictions with regard to current Fish & Wildlife policy

- Under the current regulatory regime, when a Good Samaritan finds an orphaned raccoon, for example, the Department requires the person follow very strict protocols to get the animal to a rehabber who is licensed to handle RVS. At the same time, NWCOs who are not regulated in any meaningful way, and who have no restrictions with respect to the handling of RVS, are able to handle RVS unhindered. Unlike volunteer wildlife rehabbers, NWCOs don't even have to be rabies vaccinated. There is no logical explanation for this inequitable treatment.
- Furbearer biologist Kim Royar routinely states that her Department's priority is the "utilization" of wildlife. Given that position, they should be seeking to avoid the wanton waste killing of wildlife when possible. For example, a fox trapped and killed in the summer has zero "utilization" because the fur is not marketable – *actually, even prime fox pelts aren't selling, but that's another matter*. And if fox kits starve to death as a result of the mother being killed, that further contributes to wildlife not being utilized.

Other considerations

- Since most of the nuisance trapping occurs in the spring/summer months when animals have dependent young and seek out dens in and around homes, it results in an additional

burden on wildlife rehabilitators. This happens when animals become unnecessarily orphaned as a result of NWCOS' commercial activities. A NWCO license fee should be established that will not only help cover the Department's expenses with regard to regulation and education of NWCOS, but also establish a fund to provide some much needed financial assistance to rehabilitators.

We are hopeful that we can use this as an opportunity to come together to ensure that wild animals who are handled for profit by NWCOS are not killed and orphaned unnecessarily; that the most sustainable, non-lethal methods will be used when possible; that customers are informed about their options (both lethal and non-lethal) and can make an informed choice, and that if a wild animal must be killed, that it is done in the most humane and professional manner possible.

This petition does not seek to ban, or even limit trapping.

It simply seeks to put long-overdue controls in place that will benefit wildlife, the general public, the Fish & Wildlife Department (through data collection on animals handled, released or killed) and the NWCOS themselves by:

- 1) Professionalizing the industry
- 2) Expanding business opportunities by offering non-lethal and sustainable solutions.

Sincerely,



Brenna Galdenzi
President and Founder