

# **Fish and Wildlife Board Meeting Minutes**

## **Wednesday, January 18, 2023**

The Vermont Fish and Wildlife Board held an in-person meeting at 5:00 pm on Wednesday, January 18, 2023, at the National Life Dewey Conference Room in Montpelier. A recording of the meeting is available on the department's YouTube channel.

### **Agenda**

1. Approval of Previous Meeting Minutes (October 19, 2022)
2. Public Comments (Limited to 2 minutes per speaker)
3. Understanding Survey Research in Fish and Wildlife Management
  - Mark Damian Duda, Executive Director, Responsive Management
4. Overview of 2022 Deer Hunting Seasons
5. Discussion and First Vote on Proposed Revisions to the Baitfish Regulations
6. Courtesy Presentation of Test Water Designation for Chittenden Reservoir Walleye
7. Coyote Hunting Management Update
8. Commissioner's Update

**Board Members Present:** Brian Bailey, Michael Bancroft, Nicholas Burnham, David Deen, Jamie Dragon, Brad Ferland, Neal Hogan, David Robillard, Jay Sweeny, Martin Van Buren  
**Virtual:** Allison Frazier, Michael Kolsun, Bryan McCarthy, Robert Patterson

**Department Staff Present:** Commissioner Christopher Herrick, Fish Division Director Eric Palmer, Wildlife Director Mark Scott, Outreach Director Alison Thomas, Counsel Catherine Gjessing, Game Warden Major Sean Fowler, Fisheries Program Manager Margaret Murphy, Project Coordinator Christopher Saunders, Fisheries Scientist Shawn Good, Principal Assistant Abigail Connolly

**Virtual:** Deer & Moose Project Leader Nick Fortin, Wildlife Management Program Manager David Sausville, Biometrician and Research Manager Katherina Gieder, Wildlife Technician Mary Beth Adler, Wildlife Diversity Program Manager Rosalind Renfrew, Will Duane Land Acquisition Coordinator

**Members of the Public Present:** Anne, Rod Coronado, Sarah Gorsline, David Lackey, Justin Lindholm, Emily Ruff, Bev Soyachak, Rob Steal

**Virtual:** Molly Cook, Iora, Anne McKinsey, Paul Noel, Andy Phelan

The meeting was called to order at 5:00 pm

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### **APPROVAL OF PREVIOUS MEETING MINUTES**

**Discussion:** Board Member Sweeny made a correction to the minutes that Sweeny is spelled "Sweeny" not "Sweeney."

**Motion:** Board Member Deen moved to approve the minutes from October 19, 2022. Board Member Sweeny seconded the motion.

**Vote:** Unanimous to approve.

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## **PUBLIC COMMENT PERIOD**

Justin Lindholm, Mendon: Stated that the Legislature is considering requiring posting land by painting trees instead of posted signs. Stated that in Vermont all game, fish, and wildlife is owned by the State and it is the right of the common citizen to harvest these animals and people must show they are tending to the land they post.

Bev Soychak, Monkton: Stated that she is running the beaver project in Monkton. She has a lot of community support and they are excited to move forward and do work in the Spring. Stated that despite trapping is not working, they had a lot of trapper interference. Stated there was a lot of misleading information spread about the project and the grantor Protect our Wildlife (POW), and in response a letter was sent to the Vermont Trapper's Association and copied the department.

Emily Ruff, Orange: Stated that she had trouble navigating the audio on the remote meetings, so she attended in person.

David Lackey Moretown: Stated that he is the ambassador for Hunt of a Lifetime, which provides hunting opportunities for children with life threatening diseases. He proposed that the children be allowed to hunt moose early in October instead of the regular hunting season, because of mobility issues, foliage, and better hunting early in the season.

Sarah Gorsline, Grand Isle: Stated she is a part of Project Coyote, a national organization advocating for practical and cost-saving coexisting strategies with native wildlife. She provided comments on the recommendations for Act 159: that the recommendations were basically a cut and paste of the Vermont Trapper's Association recommendations and that many of POW and Vermont Wildlife Coalition's recommendations were not factored in. Stated that from the responsive management survey, 68% of Vermonters are opposed to recreational trapping and 69% of Vermonters use the outdoors for hiking and recreation versus 4% are trapping. Stated they are advocating for a trapping ban this year in the Legislature, and they oppose coyote hounding and don't believe tags and collars will fix the problems with landowners.

Rob Steel, Bomoseen: Stated he is the owner of Tom's Bait and Tackle in Bomoseen, VT and that the agent fees of \$1.50 for selling licenses could be increased to pay for the equipment to print the licenses.

Andy Phelan [town not stated]: Stated he wrote the commentary in VT Digger about the killing of a sow bear with cubs. Stated he sent an email to the Commissioner inquiring about what the process is for petitioning for a new rule.

Anne McKinsey, Corinth: Stated that her dog was killed in a body gripping trap a mile from her house when she let her off leash, which is legal in Corinth. She listed ideas for how trapping can be modernized and improved: require trappers to post, increase public awareness about trapping, increase penalties for violations, limit the use of body gripping traps (which is already underway), and post trapping regulations information on the department's website instead of on the eRegulations.com website.

Chair Ferland noted that one of the members of the public referred to hounding recommendations and the Board has not received recommendations regarding hounding from the department yet. Once it has made it through the department's process it will be brought to the Board and then the Board will deliberate. The survey that was referenced has not been seen previously by the Board and will be discussed at this meeting.

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### **Understanding Survey Research in Fish and Wildlife Management**

Mark Scott introduced Mark Duda, Executive Director of Responsive Management. Mark Duda presented on understanding human dimensions research in wildlife. He discussed that fish and wildlife professionals use scientific methods to understand wildlife and habitats, but do not usually use science to understand the human dimensions of fish and wildlife management. Responsive Management specializes in human dimensions of wildlife/recreational issues.

Mark Duda reviewed the extensive work that the organization has done using surveys and polling. He explained the importance of probability-based sampling (which removes bias from surveys), perspective, and not "shooting" the messenger. He then described the different methodologies for understanding human dimensions and the advantages/disadvantages of each: public meetings, online public input forums, focus groups, mail surveys, telephone surveys, web-based surveys, and mix-mode surveys. It is important to use the full range of research techniques to assess public opinions and attitudes, but to keep in mind that there is a difference between qualitative and quantitative methods. The Vermont residents survey on trapping was a scientific probability-based survey to determine what residents thought of the department, trapping in general, and specific furbearer species. Mark Duda discussed the results of the survey and the importance of not "cherry-picking" information in the survey.

Chair Ferland asked Mark Duda questions about receiving the full report and how to interpret the results of the survey. Mark Duda explained that there are correct and incorrect interpretations and that since it is a complex issue, it is important to understand the survey in its totality.

The Board broke for a 20-minute dinner at 6:45 pm.

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The Board resumed the meeting at 7:05 pm.

## Overview of 2022 Deer Hunting Seasons

Nick Fortin explained that the 2022 deer seasons harvest summary is preliminary, and the numbers for muzzleloader season will change. (Attached is the 2022 Deer Seasons Summary) Total deer harvested was approximately 17,439, approximately 9,600-9,700 bucks, antlerless deer was approximately 7,847 (up from last year, but where the department wants it to be), archery was approximately 5,878 (up 33% from 4,426 in 2021 and 2<sup>nd</sup> highest of all time behind 2020), youth season continues to slowly decline, October antlerless muzzleloader was up 28% from 869 in 2021, and December muzzleloader was down 14% from 2,396 in 2021. The Board Members asked Nick Fortin questions regarding the age structure of the harvest, why certain areas of the State had a decline, the reasons for the archery season increase, data on antlerless bucks killed in muzzleloader season, whether any diseases were found, license sales, and the possible crossbow regulation effect on archery numbers.

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## Discussion and First Vote on Proposed Revisions to the Baitfish Regulations

Eric Palmer explained that the Fish Division typically comes to the Board every two years with general fish regulation changes under 10 App. V.S.A. § 122 and with baitfish regulations under 10 App. V.S.A. § 141 every four years. The Board made some significant changes to the baitfish regulations four years ago that went into effect three years ago and significant changes to the general fish regulations two years ago that took effect last year. Eric Palmer introduced Margaret Murphy.

Margaret Murphy explained that the baitfish regulations (10 App. V.S.A. § 141) are intended to provide fishing opportunities while reducing the risk of moving invasive species or pathogens. Since the last revisions to the regulations that took effect January 1, 2020, there have been very few complaints, and the proposed changes to take effect January 1, 2024 are minor. Margaret Murphy explained the process of the Fish Division staff to identify the changes. There are three recommendations and the justifications: change name of “Blacklisted Waters” to “Restricted Waters,” add “hook and line” to sections 8.2, 8.3, and 8.4, and retitle to “waterbodies where the use of fish as bait is prohibited” and update the list of waters. Margaret Murphy presented the next steps for the rulemaking process. The Board was sent the redline regulations prior to the meeting. The Board Members asked questions regarding why one pond was dropped from the list of waters, whether the line and hook change was addressing an action the division would like to correct, and whether nets were included in the regulations.

**Motion:** Board Member Deen moved to approve the rule for the first reading. Board Member Robillard seconded the motion.

**Vote:** Unanimous to approve.

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## **Courtesy Presentation of Test Water Designation for Chittenden Reservoir Walleye**

Eric Palmer introduced Shawn Good and explained that test water designations is not a Board Rule but are a way for the Fish Division to try changes to see if they have the desired biological and recreational effect. If a test water designation is successful, it may be brought back to the Board as a proposed regulation. The Board Members asked questions regarding whether this was the same process used with Battenkill and if it carries the same weight as regulations in terms of enforcement.

Shawn Good explained that a test water designation is attempting to see if the goals or objectives to address a need in fisheries management can be accomplished. It gives the division the ability to implement the changes quickly. The Chittenden Reservoir Walleye test water designation was written at the end of November 2022 and was in effect January 18, 2023. A test water designation must be publicly noticed in the newspaper at least three times and posted at the reservoir with the date and restrictions. The time period is currently set at eight years for the evaluation of whether the restrictions have the desired effect.

Chittenden Reservoir was stocked with walleye in 1993 because of the large amount of stunted yellow perch in the reservoir and they feed on yellow perch. Shawn Good explained the monitoring of the reservoir and the observation that walleye started spawning on their own in 2022. The management concern for the test water designation is to increase the number of larger sized walleye for wild reproduction in order to provide a harvestable angling opportunity, ensure continuation of wild reproduction and potentially self-sustaining population, and provide continued feral broodstock if need is determined in the future. Walleye fishing in the reservoir under the test water designation now has an 18-20 inches legal length limit and a daily limit of 1 fish, with an open season of June 1 to March 15. The Board Members asked questions regarding the age of the walleye, how large walleye are in the reservoir, Shawn Good's theories for wild reproduction, and fishing smallmouth bass in the reservoir.

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## **Coyote Hunting Management Update**

Christopher Saunders explained that Act 165 of 2022 required the regulation of coyote hunting with dogs, which was previously unregulated. The department created a diverse working group which started in the Fall of 2022. A survey based on Act 165 was developed and sent out to the workgroup to get preferences from stakeholders. On January 10, 2023, the workgroup came together to discuss a draft rule which follows the template of the current bear hound rule. A professional facilitator was hired for the meeting, and the department is expecting a report from the facilitator by the end of the week. The department will look at the comments and work on the draft rule and will probably come to the Board at the March meeting to start the process with the draft rule. Board Member Robillard, Board Member Dragon, Major Fowler, and Mark Scott shared their experiences with the working group. Board Members asked questions and discussed whether the department would use a facilitator again in other capacities, when the Board will review the draft rule, getting input from a dog trainer, the tabled petition on a closed hunting season for coyotes, and a report done in Maine on coyotes.

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## **COMMISSIONER'S UPDATE**

Commissioner Herrick recognized the work of the department staff on the presentations and the work that happens on a daily basis for the wildlife of Vermont. Commissioner Herrick explained that the two working groups on trapping and coyote hunting with dogs deliberately included a broad group of people to encourage compromise. He recognized the staff working on these delicate issues. Commissioner Herrick gave an update on the legislative initiatives of the department and on the Recovering America's Wildlife Act (RAWA). Commissioner Herrick gave an update on the incident in Corinth of a dog being killed in a trap and explained that it was still under investigation.

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### **Motion To Adjourn:**

The Board moved to adjourn the meeting at 9:00 pm unanimously.

Unapproved

# 2022 Deer Seasons Summary

(preliminary numbers through 1/17/23 – likely to change)

**TOTAL: 17,439**

**Bucks: 9,592**

Up 5% from 2021 (9,133)

Up 1% from 2019-21 average (9,482)

**Antlerless: 7,847**

Up 17% from 2021 (6,725)

Up 3% from 2019-21 average (7,651)

**Archery:**

**5,878** (up 33% from 4,426 in 2021)

*2<sup>nd</sup> highest all time behind 2020 (6,169)*

**Youth:**

**1,056** (down 2% from 1,074 in 2021)

*lowest since became a 2-day season in 2002*

**Novice:**

**55** (Up 2% from 54 in 2021)

**October (antlerless) Muzzleloader:**

**1,114** (up 28% from 869 in 2021)

*6% fill rate on permits sold at the time*

**Rifle:**

**7,265** (up 3% from 7,039 in 2021)

**December Muzzleloader:**

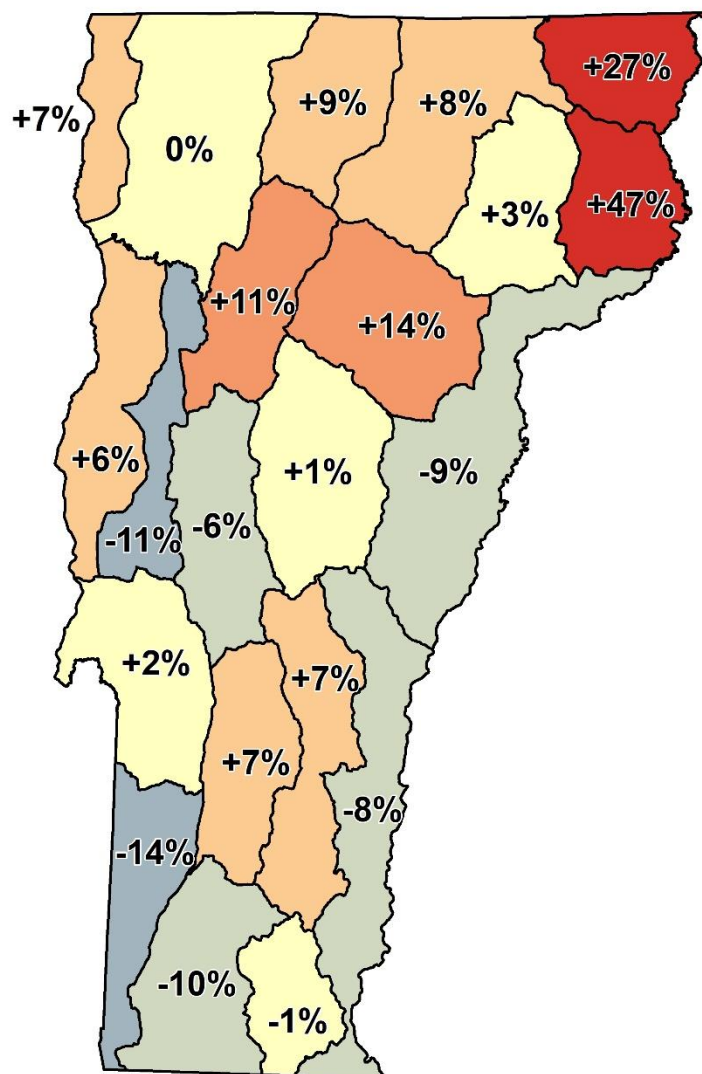
**2,071** (down 14% from 2,396 in 2021)

*Combined muzzleloader harvest of 3,185*

*down 3% from 3,265 in 2021*

*lowest since 2015 (<10,000 permits issued)*

## Change in Buck Harvest from 2019-2021 Average



## Percent of Bucks That Were Spikes

(in WMUs where they were legal)

	2020	2021	2022
Archery	23%	31%	30%
Youth	43%	49%	43%
Rifle	21%	26%	25%
Dec Muzz	31%	38%	42%
<b>TOTAL</b>	23%	28%	27%

~33% of the buck population is spike-antlered

44% of buck harvest from 2001-2004 was spikes