

## Act 159: An Act Relating to Best Management Practices for Trapping Proposed Amendments to the Furbearing Species Rules

This table shows: 1) the areas Act 159 requires the Vermont Fish and Wildlife Department and Board to strengthen safety and animal welfare regulations within in the lefthand column; 2) the proposed regulations developed by the department and advanced by the board at their April 5, 2023, meeting in the middle column; and 3) additional recommendations from the department for the public and board to consider during the scheduled June 2023 public hearings.

Act 159 directives	Proposed regulations advanced by the Vermont Fish and Wildlife Board on April 5, 2023	Proposed revisions from the Vermont Fish and Wildlife Department for June 2023 public hearings
<p>Trapping devices and components of trapping devices that are more humane than currently authorized devices and are designed to minimize injury to a captured animal as defined by the Association of Fish and Wildlife Agencies Best Management Practices (BMPs).</p>	<p>4.5 Foothold traps on land must:</p> <ul style="list-style-type: none"> <li>(a) Have base plates that feature a center chain mount with swivel with free moving chain and at least one additional swivel that allow mobility for a captured animal;</li> <li>(b) Be anchored with a maximum of 18" chain length. Extra swivels and/or shock springs can be added to the chaining system;</li> <li>(c) Be padded or offset and laminated with a minimum jaw thickness of 5/16<sup>th</sup> of an inch or fully encapsulate the foot;</li> <li>(d) Have a spread of no more than 6¼ inches measured inside the widest expanse of the jaws;</li> <li>(e) If a foothold trap is triggered by downward pressure, it must be adjustable for pan tension;</li> <li>(f) Not withstanding section 4.5, a drag may be used to anchor a foothold trap, provided that the trap meets 4.5 subsections a), c), d), and e).</li> </ul>	<p>4.5 (a) Proposed revision: Have base plates that feature a center chain mount with [a] swivel with [a] free moving chain and at least two <del>one</del> additional swivels that allow mobility for a captured animal;</p> <p>4.5 (f) Proposed revision: Delete.</p>
<p>Criteria for adjusting or maintaining trapping devices so that they operate correctly and humanely;</p>	<p>4.5 – see 4.5 above Also taught in mandatory trapper education classes.</p>	

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<p>Trapping techniques, including the appropriate size and type of a trap for target animals, use of lures or other attractants, trap safety, and methods to avoid nontarget animals;</p>	<p>4.5 above and:</p> <p>4.6 A person shall not set a body gripping trap with a jaw spread opening greater than 60 square inches measured inside the widest expanse of the jaws unless the trap is set five feet or more above the ground, or in the water.</p> <p>4.7 No meat-based baited, body-gripping traps shall be set on the ground unless placed within an anchored enclosure with openings no greater than 60 square inches and with a trap trigger that is recessed at least 12” from all openings.</p> <p>4.8 Meat based baited body-gripping traps with a jaw spread up to and including 60 square inches can be used on land if the trap is placed at least 5’ above the ground.</p> <p>4.9 All meat-based bait shall be covered at the time that a trap is set. Coverings shall include, but are not limited to, brush, branches, leaves, soil, snow, water, or enclosures constructed of wood, metal, wire, plastic, or natural materials.</p>	<p>4.6 Proposed revision: <del>No meat-based baited,</del> body-gripping traps shall be set on the ground unless placed within an anchored enclosure with openings no greater than 60 square inches and with a trap trigger that is recessed at least 12” from all openings.</p> <p>4.8 Proposed revision: <del>Meat based baited</del> Body-gripping traps with a jaw spread up to and including 60 square inches can be used on land if the trap is placed at least 5’ above the ground</p>
<p>Requirements for the location of traps, including the placing of traps for purposes other than nuisance trapping at a safe distance, from public trails, class 4 roads, playgrounds, parks, and other public locations where persons may reasonably be expected to recreate.</p>	<p>4.17 Trail Setbacks:</p> <p>(a) No foothold traps can be set on or within 25’ of the traveled portion of a public trail or highway, unless set in a culvert, in the water, or at least 5’ above the ground. This setback requirement shall not apply to public trails and Class IV highways located in Wildlife Management Areas.</p> <p>(b) No body-gripping traps can be set on or within 50’ of the traveled portion of a public trail or highway, unless set in a culvert, in the water, at least 5’ above the ground, or in a set as described above in 4.17. This setback requirement shall not apply to public trails and Class IV highways located in Wildlife Management Areas. Prohibits “foothold traps within 25’ of the traveled portion of a public trail or highway unless in a culvert, under water, or</p>	<p>4.17 Proposed revision:</p> <p><del>(a) No foothold traps can be set on or within 25’ of the traveled portion of a public trail or highway, unless set in a culvert, in the water, or at least 5’ above the ground. This setback requirement shall not apply to public trails and Class IV highways located in Wildlife Management Areas.</del></p> <p>No body-gripping traps or foothold traps shall be set on or within 50’ of the traveled portion of a town trail, public trail or highway, unless set <del>in a culvert, in the water., at least 5’ above the ground, or in a set as</del></p>

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	5 feet above the ground.” Does not apply to Wildlife Management Areas.	<p><del>described above in 4.7.</del> This setback requirement shall not apply to public trails and Class IV highways located in Wildlife Management Areas</p> <p>3.16 Proposed revision: Add: “Town Trail” defined: a public right of way as defined in 19 V.S.A. § 301 (8), shown on the highway maps of the respective towns, made by the Agency of Transportation.</p>
Criteria for when and how live, captured animals should be released or dispatched.	4.18 Dispatch of Trapped Animals: Upon discovery, a trapper shall immediately dispatch a live trapped furbearer with a muzzle loader, gun, crossbow, or bow and arrow. This provision may be amended upon receipt of the Association of Fish and Wildlife Agencies’ recommendations regarding humane dispatch. This subsection shall not be interpreted to prevent a trapper from releasing a non-target animal unharmed.	