



**To: The Honorable Robin Chesnut-Tangerman
Chair, Legislative Committee on Administrative Rules**

Date: October 5, 2020

**RE: 20-P017 - Vermont Fish & Wildlife Board/Title 1- V.S.A. § App. § 2 Report,
Big Game**

Position: Support

Honorable Chair Chesnut-Tangerman,

On behalf of the Congressional Sportsmen's Foundation (CSF), I write to you and to your fellow Committee Members in support of 20-P017 granting the Commissioner of the Fish and Wildlife Department the ability to allow the electronic reporting of big game animals including deer and turkey without conditional considerations, and moose and bear in times of emergency.

Although I have been an Arlington, Vermont resident and avid sportsman for many years, I grew up in the Hudson Valley of New York. New York is one of the numerous states throughout the nation that allows for the electronic reporting of big game, and has done so for several decades without negative consequences. In fact, very few states currently require an in-person check-in for big game. Some have gone so far as to allow their sportsmen and women to do away with hard copies of tags and licenses entirely, and instead conduct their harvest reporting through smart phone applications (such as Georgia, where I am a regular non-resident license purchaser). As such, many states were arguably far-better equipped to deal with the dramatic societal shifts that we have all experienced in recent months due to the ongoing COVID-19 pandemic. In Vermont, emergency rulemaking had to be adopted to protect the health and safety of the sportsmen and women who pursued turkeys this spring, as well as that of our communities. While 20-P017 does not go nearly as far as what many other states have implemented, it is our view that these allowances are a natural step in the progression of efficacy and efficiency that modern technology affords us, and will help provide the Vermont Fish and Wildlife Department with tools that are enjoyed by state agencies in neighboring states and across the nation.

The benefits of providing the Department with the authority to implement modern reporting mechanisms were also evidenced during the spring 2020 turkey season, which, as mentioned

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previously, was switched to electronic reporting through emergency rule due to COVID-19. As the Director of Wildlife, Mark Scott, and others expressed during your September 19 hearing on this topic, the online reporting this spring was entirely consistent with the in-person reporting in years prior. Further, it was stated that the Department's enforcement officers, the Vermont Game Wardens, view electronic reporting as a tool which enhances, not detracts from, their ability to effectively and resourcefully conduct their jobs; as in past years they would have to travel to the check-stations and review log books to ascertain whether a harvested turkey had been reported in compliance with the law.

During the hearing for this rule that your Committee held on September 19, an extensive discussion took place regarding the definition of "emergency". CSF is supportive of the rule, and definition of "emergency", as currently written, with particular regard to the management of Chronic Wasting Disease (CWD) and other yet-to-be identified emergent wildlife diseases. As an organization we have worked with agencies, legislators, governors, and Members of Congress on wildlife disease issues such as CWD for decades. Further, I currently serve on the National Wildlife Services Advisory Committee, having been twice appointed to provide recommendations to the U.S. Secretary of Agriculture on a suite of wildlife conflict and disease issues, including CWD.

CWD is a progressive, fatal, degenerative neurological disease occurring in farmed and free-ranging cervids such as deer, elk, and moose. The disease was first recognized in 1967 as a clinical 'wasting' syndrome of unknown cause in captive mule deer in Colorado, and belongs to the family of diseases known as transmissible spongiform encephalopathies (TSEs). TSEs include a number of different diseases affecting animals or humans including bovine spongiform encephalopathy (commonly known as "Mad Cow Disease") in cattle, scrapie in sheep and goats, and Creutzfeldt-Jacob disease in humans. Although CWD shares certain features with other TSEs, it is a distinct disease affecting only deer, elk, and moose, and there is no known treatment or vaccine. While there is a lot that we still do not know about the disease, one area in which the vast majority of scientists agree is that the movement of cervids (whether ante or post-mortem) is a significant driver of disease spread.

Here in Vermont we are fortunate to have not yet detected CWD, thanks in part to the good work of the Department in taking preventative measures to eliminate known and suspected transmission risks. We view the allowances provided in 20-P017 as a necessary tool to add to the Department's toolbox so that it may continue this strong track record. Though CWD has not been detected in Vermont at this time, it has been found in 26 other states, including our westerly neighbor, New York, and several Canadian provinces. If in the unfortunate circumstance CWD crosses our borders and is detected in one of our cervids, the Department needs to have the ability to act quickly and switch to electronic reporting, in order to minimize the movement of potentially infected tissue to areas in which the disease may not yet be present.

While CWD is but one example of a potential wildlife disease emergency that we are aware of, there are likely numerous others that we do not yet know about – just as we knew nothing of COVID-19 this time last year. Though I have been actively engaged in the field of fish and wildlife conservation for nearly 15 years, I cannot remember a single time that a wildlife disease emergency has risen to the level of a governor issuing a state of emergency unless public health was negatively impacted. If, as the opponents of this rule have suggested, the definition of "emergency" is

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amended to be predicated upon gubernatorial action, we would be eliminating the ability of the Department to nimbly implement necessary disease control measures, and as a result far more individuals of the affected species' population may be negatively impacted.

For the reasons stated above we encourage the approval of 20-P017 as written, and appreciate the opportunity to participate in the discussion.

Sincerely,



Brent Miller
Senior Director, Northeastern States & States Program Administrator
Congressional Sportsmen's Foundation

CC: The Honorable Mark A. MacDonald, *Vice-Chair*
The Honorable Joe Benning
The Honorable Christopher Bray
The Honorable Marcia Gardner
The Honorable Virginia "Ginny" Lyons
The Honorable. Linda K. Myers
The Honorable Trevor Squirrell