

# **TOWN OF WILLISTON**

## **MEMORANDUM**

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November 18, 2022

TO: Williston Selectboard

CC: Erik Wells, Matt Boulanger, Bruce Hoar, Eric Howe

FROM: Simon Myles

RE: Town of Williston Policy Governing Animal Trapping on Town Owned Land

### **Background**

A petition to ban trapping on town owned land in Williston was brought to the Selectboard and discussed on August 17, 2021. The petition reads as follows:

“We, the undersigned residents of Williston, urge the Town of Williston to enact an ordinance that prohibits all body-gripping (e.g., leg-hold) and kill traps on town land. These traps are inhumane and indiscriminate, affecting non-target animals two-third of the time. With an increasing human and pet population in Williston and recreation in natural areas increasingly popular, these traps also pose a risk to domestic animals and children.”

Conservation Planner Melinda Scott drafted a memo with options for the Selectboard to consider. Notably, under Vermont statutes (24 V.S.A. § 2295), the town cannot regulate hunting and trapping directly, in other words, by enacting an ordinance that bans trapping altogether or that attempts to regulate the types of traps used. Trapping is currently regulated by the Vermont Department of Fish and Wildlife in accordance with Vermont statutes. A legal opinion has not been obtained, but it is possible that an ordinance prohibiting trapping on town land is not legal under Vermont statutes.

Williston could legally adopt a policy regarding trapping on town owned properties. (Vermont League of Cities and Towns provides [this information sheet](#) explaining the difference between an ordinance and a policy).

### **Trapping Policy**

On October 19, 2021 the Selectboard directed the Conservation Commission to develop a policy for trapping on town land.

The draft policy transmitted to the Selectboard prohibits “non-essential” trapping on town owned properties. But it allows trapping deemed as “essential” – necessary to manage beavers or other wildlife where infrastructure, property or public safety is threatened – under the direction of town staff. “Essential” also includes trapping for wildlife research under the direction of the Selectboard. The policy establishes parameters for essential trapping such as adherence to best practice measures and ensuring any trapper the town contracts with is licensed.

The policy has been discussed at length by the Conservation Commission, Department of Public Works and residents.

Trapping on town lands was discussed during a Commission meeting on December 1 2021 and a draft policy was reviewed by the Commission on December 15, 2021. Members of the public participated in the discussions and offered feedback at both meetings. This included discussion over the definitions of “essential” and “non-essential” and the use of value-neutral language in describing trapping. The policy reflects these discussions.

The Department of Public Works Director Bruce Hoar reviewed the draft policy and provided comments in February 2022. Mr. Hoar expressed concerns that the policy was overly restrictive with respect to the town’s ability to trap to protect critical town infrastructure. Specifically, that signs notifying people of trapping occurring on a property will lead to traps being stolen (which already happens) and that the requirements of the policy should not deter licensed trappers from contracting with the town.

An updated policy was reviewed by the Commission on April 6, 2022 and November 2, 2022. The Commission expressed their concerns about the public safety aspect of trapping near established town trails without signage alerting citizens of their presence.

The Commission and Mr Hoar jointly reviewed the policy again on November 16, 2022 to resolve the outstanding issue of signage. The resulting policy states that when essential trapping is taking place on town owned land in the Country Parks, natural areas and other town owned parcels listed in the policy signage shall be deployed to alert citizens that there is wildlife management taking place in the general area, which includes trapping, and to stay on the trails. This requirement to sign does not apply in the Town Right of Way: this is where the majority of the town’s critical infrastructure that could be affected by wildlife is located but where there are no town trails where trapping would present a material risk to public safety.

### **Recommendation**

The Conservation Commission voted to transmit the draft policy to the Selectboard with a recommendation that it be adopted following legal review.