



JAMES W. EDMING

STATE REPRESENTATIVE • 87TH ASSEMBLY DISTRICT

Testimony in Support of Assembly Bill 464/Senate Bill 376 *Senate Committee on Sporting Heritage, Mining and Forestry* Tuesday November 28, 2017

Thank you, Mr. Chairman and committee members for holding this public hearing today on Assembly Bill (AB) 464/Senate Bill (SB) 376. I appreciate the opportunity to speak to you in support of this important legislation.

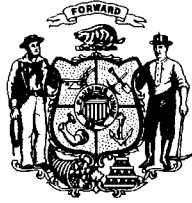
Wisconsin is home to some of the best game preserves in the country. The game birds produced in Wisconsin are sold around the United States. One of the challenges faced by game preserves is protecting their game birds from predators such as hawks and owls. While nets are used on the enclosures in which the game birds are raised, this alone is not enough to protect them. Predator birds can dive down and depress the netting far enough to harm the game birds, who often take flight out of fear when a predator dives on the enclosure.

Before diving on the enclosure, predator birds usually land on a post or elevated perch to observe their prey. Game preserves have been able to use this to their advantage by deploying pole traps to protect their game birds. A pole trap is a *non-lethal* trap placed on the top of a pole or other elevated perch that catches the leg or legs of a predator bird. These traps have a lead which allows the captured birds to safely come to rest on the ground. These non-lethal traps are one of the most effective tools game preserves can use to protect their birds. Unfortunately, current restrictions to pole trap heights under Wisconsin law make these traps ineffective in our state.

Currently, federal regulations allow holders of a bird depredation permit from the US Fish and Wildlife Service to use pole traps at the maximum height of 10 feet. However, Wisconsin law is much more restrictive, only allowing pole traps at a maximum height of 3 feet. This height restriction makes pole traps essentially ineffective as predators will land on a higher point such as a fence post around the enclosure.

AB 464/SB 376 solves this problem by allowing holders of a valid US Fish and Wildlife Service bird depredation permit to set or operate a pole trap at a maximum height of 10 feet. This would bring Wisconsin in line with what is currently allowed under federal regulations and allow Wisconsin game preserves to better protect their birds.

Mr. Chairman and members, I ask for your support of this legislation and thank you again for the opportunity to testify before you today.



JERRY PETROWSKI

WISCONSIN STATE SENATOR

Senate Bill 376- Relating to the Maximum Height of Pole Traps

November 28, 2017

Good morning, members of the committee, and thank you for the opportunity to provide testimony today on Senate Bill 376, which would change the maximum height of poles traps from three feet to ten feet, bringing Wisconsin in line with federal regulations. A pole trap is a circular steel non-lethal trap fixed on the top of a post or pole for the purpose of catching birds.

The purpose of this legislation is to make it easier for game preserves to protect their game birds from predatory birds such as hawks and owls. Currently, game preserve owners use nets to protect their birds, but the reality is predator birds can dive down and depress the netting far enough to harm the game birds, often taking the heads off the birds under the netting.

Birds of prey hunt from a tall perch, giving them a commanding view of their target below. With three foot tall pole traps, there are often taller surfaces nearby that a hawk or owl is more likely to land on, for example the fence posts surrounding the game birds. By increasing the maximum height to ten feet, we are making these pole traps more effective and allowing Wisconsin game preserve owners to protect their birds.

Federal law authorizes the use of pole traps for managing predators by issuing bird depredation permits through the US Fish and Wildlife Service. These permits are only issued when other methods have proven ineffective. Under federal law, permit holders are allowed to use poles traps at a maximum height of ten feet. However, Wisconsin law only allows pole traps to sit at a maximum of three feet.

This legislation simply increases the maximum height of pole traps in Wisconsin from three feet to ten feet, making the traps far more effective and helping game preserve owners protect their birds so Wisconsin's hunting heritage can live on for years to come.

Thank you again for the opportunity to speak on this bill. I would be happy to answer any questions you may have.

29TH SENATE DISTRICT

STATE CAPITOL: P.O. BOX 7882 • MADISON, WISCONSIN 53707-7882
SEN.PETROWSKI@LEGIS.WISCONSIN.GOV • TELEPHONE: (608) 266-2502 • FAX: (608) 282-3569



Wisconsin Game Preserve Association

To: Members of the Senate Committee on Sporting Heritage, Mining and Forestry
Senator Tom Tiffany, Chairman

From: Gary R. Goyke
Legislative Director
Wisconsin Game Preserve Association

Re: Support for AB 464 and SB 376, Relating to the maximum height of pole traps.

Date: November 28, 2017

The Wisconsin Game Preserve Association registers its support of AB 464 and SB 376, which relates to raising the maximum height for pole traps that are used to help protect outdoor raising and breeding of pheasants, quail and other birds in the category of Phasianidae from 3 feet to 10 feet here in the State of Wisconsin.

We wish to thank the authors of AB 464 and SB 376 for their leadership on an issue that has been around for some time...and now thankfully there is growing consensus and support for these two bills as the best policy to handle a problem with deterring raptors such as hawks, herons, owls and eagles from preying on farm raised birds but who are also protected by the Migratory Bird Treaty Act. AB 464 and SB 376 are very narrowly constructed to protect raptors while still recognizing the interests of game preserves and game breeding operations.

AB 464 and SB 376 will adopt the Federal U.S. Fish and Wildlife Service pole trap standard which allow elevated pole traps of up to 10 feet...but the bills then restrict that use only to a licensed game bird facility which has obtained a bird depredation permit issued by the U.S. Fish and Wildlife Service.

We are happy to report to you the support of the Wisconsin Wildlife Federation and the Wisconsin Trappers Association. A copy of their support is attached to this statement.

The WGPA will be sending electronically a copy of our 2017 Economic Impact Report, which we delivered, to the Legislature at the end of March this year. Thank you sincerely for your time and attention. We are a reliable resource that you may call upon at any time,

Wisconsin Wildlife Federation

Chairman Kleefisch, members of the Assembly Natural Resources and Sporting Heritage Committee. The Wisconsin Wildlife Federation supports the adoption of Assembly Bill 464 which allows the placement of a pole trap up to ten feet in elevation if done pursuant to a migratory bird depredation permit issued by the U.S. Fish and Wildlife Service.

Elevated pole traps such as those authorized by this bill are very effective in capturing raptors such as hawks, herons and eagles protected by the Migratory Bird Treaty Act. The Wisconsin Trappers Association, a major affiliate organization of the Wildlife Federation, is very conscious of the need to conform with that law and the adverse publicity for trapping that would ensue if the bill were not drafted narrowly to protect raptors while still protecting the interests of game preserves.

The Wisconsin Game Preserve Association has worked very closely with the Wildlife Federation and the Trappers Association to assure that this concern has been met. Narrowing the use of elevated pole traps to those locations covered by a permit issued by the U.S. Fish and Wildlife Service under 50 CFR 21.41 of the United States Code addresses the issue.

The Wildlife Federation thanks the Wisconsin Game Preserve Association for its close collaboration on this legislation and encourages the Committee to support AB 464.

Submitted by:
George Meyer
Executive Director
Wisconsin Wildlife Federation
September 12, 2017