

10 V.S.A. App. § 7. Bear Management Rule

1.0 Authority

- 1.1 This rule is adopted pursuant to 10 V.S.A. § 4081(a). In adopting this rule, the Fish and Wildlife Board is following the policy established by the General Assembly that the protection, propagation, control, management, and conservation of fish, wildlife and fur-bearing animals in this state is in the interest of the public welfare and that the safeguarding of this valuable resource for the people of the state requires a constant and continual vigilance.
- 1.2 In accordance with 10 V.S.A. § 4082, this rule is designed to maintain the best health, population and utilization levels of the black bear population.
- 1.3 In accordance with 10 V.S.A. § 4084, this rule establishes season and possession limits for black bear and prescribes the manner and means of taking black bears.

2.0 Purpose

The purpose of this regulation is to establish seasons for the taking of black bear, to establish legal means or methods of taking black bears, and to establish limits on the number of black bears to be taken annually.

3.0 Definitions

- 3.1 "Accompany" for the purposes of hunting bear with dogs means that:
 - a) A Sub-permittee engaged in the control, handling, transporting or intercepting of Department registered dogs while hunting with dogs, shall be under the under the express direction of the permit holder, and
 - b) A Sub-permittee who harvests a black bear shall be under the direct control and supervision of the bear dog permit holder, including the ability to see and communicate with each other without the aid of artificial devices such as radios or binoculars, except for medically necessary devices such as hearing aids or eyeglasses.
- 3.2 "Bait" means as any animal, vegetable, fruit, mineral matter, honey, or any other substance capable of luring or attracting black bear or any other wildlife.

- 3.3 “Baited area” means an area where any animal, vegetable, fruit, mineral matter, honey, or any other substance capable of luring or attracting black bear or any wildlife, has been placed or deposited including, but not limited to, bird feeders.
- 3.4 “Bear Dog Permit” or “Permit” means a permit issued by the Commissioner to a person who wishes to hunt, pursue or take black bear with the aid of dogs.
- 3.5 “Commissioner” means the Commissioner of the Vermont Fish and Wildlife Department.
- 3.6 “Control of Dog/Dogs” means the transportation, loading or unloading of dogs from vehicle(s); the handling, catching, restraining or releasing dogs; and the use of telemetry/GPS to locate or track dogs.
- 3.7 “Department” means the Vermont Fish and Wildlife Department.
- 3.8 "Department Registered Dog" means a dog bearing a numbered identification dog-tag (Department Registration Dog-Tag) approved or issued by the Vermont Fish and Wildlife Department, with the permit holder’s bear dog permit number and a number one through six.
- 3.9 “Hunting with Dogs” for the purposes of this rule means that one or more dog(s) with Department Registered Dog-Tags are on the ground whether in pursuit of a black bear or not.
- 3.10 “Legal means” or “Legal method” means the taking of a black bear by muzzleloader, rifle, handgun, archery equipment, or crossbow when authorized.
- 3.11 “Pack of Dogs” means one to six dogs, acting as a unit during the pursuit of black bear.
- 3.12 “Sub-Permittee” means any person with a valid Vermont hunting license designated the bear dog permit holder to assist or take a bear with the aid of dogs, in accordance with written authorization issued by the Department.
- 3.13 “Relaying Dogs/Packs” means the removal and replacement of one or more dog or dogs to the trail of a bear to the original pack of dogs once the pursuit has begun. If the hunting or pursuit of a black bear commences with fewer than six dogs in the original Pack of Dogs, the addition of a dog or dogs shall not be considered relaying, provided that no more than the same six dogs are

part of a single Pack of Dogs during the hunting, pursuing or taking of a black bear.

3.14 “Bear Tag” means a document issued by the Department authorizing the taking of a black bear in the current season.

3.15 “Unregistered Dog” means a dog that does not have a valid Department Registration Dog-Tag as described in 3.8.

4.0 Seasons and Shooting Hours

4.1 Early and Late Season

a) **Early Season:** For Vermont Residents: September 1 through the day before the first day of the Regular Deer Season.

For Non-Vermont Residents without the use of dogs: September 1 through the day before the first day of the Regular Deer Season.

For Non-resident Bear Dog Permit Holders: The early black bear season shall be open to Non-Resident bear dog permit holders on September 15 and not before.

b) **Late Season:** For Vermont Residents and Nonresidents: The first day of the Regular Deer season through the second Sunday of the Regular Deer Season.

4.2 Shooting hours: One half hour before sunrise until one half hour after sunset.

5.0 Tags and Bag Limit

5.1 To take a black bear during the Early Season, a person must, in addition to having a valid Vermont Big Game Hunting license, possess an Early Season Bear Tag issued separately by the Department.

5.2 To take a black bear during the Late Season, a person must have a valid Vermont Big Game Hunting license.

5.3 A person shall not harvest more than one black bear per calendar year, not to include animals taken pursuant to 10 V.S.A. § 4827.

6.0 The taking of bear with the aid of dogs

6.1 Licenses and Permits

Any person hunting, pursuing, harvesting, or in any manner involved in the taking of a black bear with the use of dogs must hold a valid Vermont Big Game Hunting License, use only Department Registered Dogs and possess a valid bear tag. In addition, the person hunting, pursuing, harvesting, or in any manner involved in the taking of a black bear with the use of dogs must hold a valid bear dog permit or accompany a bear dog permit holder. The permit shall be carried at all times by the permittee while hunting with dogs or taking black bear and exhibited to a game warden, landowner, or law enforcement officer upon demand.

6.2 A person shall not take a black bear into his/her actual possession except by killing the bear by legal means or methods.

a) A person taking black bear with the use of a bow and arrow or crossbow shall, upon demand of a game warden or other law enforcement personnel, show proof of having a prior archery license, or of having passed a bow hunter education course in Vermont, another state or a province of Canada approved by the Commissioner.

6.3 Dogs and Packs

- a) A person shall not take black bear with the aid of dogs unless the person is in control of the dog or dogs.
- b) No person shall take a black bear with the aid of any Unregistered Dog. No person shall have an Unregistered Dog in his or her possession while hunting, pursuing or taking a black bear.
- c) A person hunting with dogs, pursuing, and taking black bear with the aid of dogs shall attach a Department Registration Dog-Tag and a metal identification name plate with the person's name, address and telephone number to the dog's collar.
- d) A person taking a black bear with the aid of dogs shall only take a black bear with a Pack of Dogs as defined in this rule. No person shall pursue, hunt, or take black bear by Relaying Dogs/Packs.
- e) Two or more permit holders may hunt together and combine Department Registered dog(s) to form a Pack of Dogs. The combined bear dog permit holders shall not take black bear with the aid of more than six dogs combined forming a single Pack of Dogs. Once hunting with dogs commences, dogs not on the hunt shall be restrained in the dog box or inside the vehicle. The combined bear dog permit holders

shall not possess any Unregistered Dogs while hunting, pursuing or taking black bear.

7.0 Prohibitions

- 7.1 No person shall knowingly place bait to attract black bear for the purposes of allowing a bear dog to catch/strike the scent of a black bear. No person shall take bear by knowingly using bait or a baited area.
- 7.2 A person shall not advertise, barter, exchange goods or services, or otherwise sell the use of a dog or dogs for the purpose of taking any black bear.
- 7.3 While hunting with dogs, no person shall have in their possession an Unregistered Dog while possessing Department Registered dogs.
- 7.4 It shall be a violation for a Vermont resident to apply for a bear dog permit for the purpose of allowing a nonresident bear dog owner to take bear in Vermont with the aid of dogs.
- 7.5 No person shall hunt black bear with a bow and arrow or crossbow if the arrow or bolt has an arrowhead that measures less than seven-eighths of an inch at its widest point or that has less than two sharp cutting edges.

8.0 Reporting

- 8.1 The black bear carcass shall be field dressed prior to reporting.
- 8.2 Upon request of a Game Warden, the person harvesting the bear and the permit holder shall show and return to the kill site with a Game Warden.
- 8.3 All bear harvests shall be reported to a game warden, official Fish and Wildlife Department Reporting Station, or a person designated by the Commissioner within 48 hours. The person who harvested the bear and the bear dog permit holder must both be present to legally report the harvest. If the bear dog permit holder harvested the bear, only he or she must be present when reporting the harvest.
- 8.4 It shall be unlawful to provide false information when reporting a black bear taken with the aid of dogs.
- 8.5 The fine, points and any other penalty for any violation of this subsection 8 shall be assessed to the violator and in addition, to the permit holder if the violator is not the permit holder.

9.0 Biological Collection

- 9.1 Any person who harvests a black bear shall collect a premolar tooth and submit the tooth to a game warden, official Fish and Wildlife Department Reporting Station, or to a person designated by the Commissioner to receive the biological collection, within 48 hours of taking the bear.
- 9.2 Unless otherwise specified by statute, the failure to collect and submit a black bear tooth shall not result in license suspension points and shall be considered a minor violation subject to a civil fine.