

## Changes Included in this Document

1. Move Youth Weekend back to the weekend before the regular season.

See *section 11*

2. Establish Expanded Archery Zones

See *section 10.6*

3. Allow antlerless permits to be used during the regular season.

See *sections 4.1 and 7.2*

Currently only allowed during the Antlerless Season (October Muzzleloader) and (December) Muzzleloader Season.

4. Allow hunters to hold two antlerless permits at a time.

See *section 4.3*

Only one acquired through the lottery, and only one per WMU at a time.

5. Remove the closure of archery season during the regular season.

See *section 10.1*

This was an enforcement concern that no longer applies if antlerless permits can be used during the regular season.

6. Reinstate the antler restriction in WMU D1.

See *section 3.8*

7. Allow hunters to take a second buck if certain conditions are met.

See *section 6.1(b)*

Hunters must first harvest an antlerless deer and their first buck must have 3+ points on one antler.

98. Miscellaneous changes for consistency and clarity.

## § 37. Deer Management Rule

### 1.0 Authority

1.1 This rule is adopted pursuant to 10 V.S.A. § 4081(b). 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 furbearing 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 deer herd.

1.3 In accordance with 10 V.S.A. § 4084, this rule establishes open seasons; establishes daily, season and possession limits; prescribes the manner and means of taking white-tailed deer and establishes restrictions on taking based on sex and antler characteristics.

### 2.0 Purpose.

The purpose of this rule is to manage the white-tailed deer herd, implementing will of the General Assembly to design rules to maintain the best health, population and utilization levels of the deer herd.

### 3.0 Definitions

3.1 “Antlerless Deer” are defined as those deer without antlers or antlers less than three (3") inches in length.

3.2 An “Antlerless Deer Permit” is a permit issued pursuant to 10 V.S.A. § 4081(g) that allows a person to take one antlerless deer during the antlerless or muzzleloader seasons.

3.3-2 “Antler Point”: A “point” is an antler projection of at least 1" measured from the base of the point at the main beam to the tip of the point. A broken main beam shall count as a point regardless of length.

3.4-3 “Bait”: For the purposes of this regulation, ‘bait’ is defined as any animal, vegetable, fruit or mineral matter placed with the intention of attracting wildlife. Natural and artificial scents and lures that are not prohibited under Section 14 of this regulation and are not designed to be consumed by eating or licking shall not be bait for the purposes of this rule.

3.5-4 “Baiting” is the use of any animal, vegetable or mineral matter, including scents and lures prohibited under section 14 of this regulation that has the effect of enticing wildlife to a certain location.

3.6-5 “Board”: The Vermont Fish and Wildlife Board.

3.7-6 “Bona fide agricultural practices”: Practices that have been employed to plant, grow and harvest an agricultural product conducted in the usual manner.

3.8-7 “Crossbows”: A crossbow means a device consisting of a bow mounted to a rigid stock for discharging bolts or arrows and having a mechanical means to hold and release the drawn string, which must be fired from the shoulder. A bolt means a short projectile, designed for a crossbow, that resembles an arrow. No person shall hunt wild animals or game with a crossbow if the bolt has an arrowhead less than seven-eighths of an inch at its widest point and has less than two sharp cutting edges. A crossbow shall have a minimum pull of 125 pounds, a working mechanical safety and a stock no less than 23 inches in length.

3.9-8 “Legal Buck”: In Wildlife Management Units C, ~~D1~~, D2 E1, E2, G, I, L, M, P, and Q a legal buck shall be any white-tail deer with at least one antler three (3") inches or more in length; and in Wildlife Management Units A, B, ~~D1~~, F1, F2, H, J1, J2, K, N, and O a legal buck shall be any white-tailed deer with at least one antler with two or more antler points one inch in length or longer.

3.10-9 “Novice”: A person who purchased their first hunting license within the past 12 months and is 16 years of age or older.

3.11-10 “Youth”: A person who is 15 years of age or younger.

#### **4.0 Antlerless Deer Permits**

4.1 An Antlerless Deer Permit is a permit issued pursuant to 10 V.S.A. § 4081(g) and provisions of this section that allows a person to take one antlerless deer in the wildlife management unit listed on the permit during the regular season, antlerless season, or muzzleloader season.

4.2 Annually, the Board shall determine how many antlerless permits to issue in each wildlife management unit. For a nonrefundable fee, a person may apply for an Antlerless Deer Permit permit. The Department shall allocate the permits in the following manner:

(a) A Vermont landowner, as defined in 10 V.S.A. § 4253, who owns 25 or more contiguous acres and who applies shall receive an antlerless deer permit in the wildlife management unit on which the land is located before any are given to people eligible under subdivision (b) of this subsection. If the land is owned by more than one individual, corporation, or other entity, only one permit shall be issued. Landowners applying for antlerless deer permits under this subdivision shall not, at the time of application or thereafter during the deer hunting seasons, post their lands except under the provisions of 10 V.S.A. § 4710. As used in this section, “post” means any signage that would lead a reasonable person to believe that hunting is restricted on the land. If the number of landowners who apply exceeds the number of permits for that wildlife management unit, the Department shall award all permits in that wildlife management unit to landowners by lottery.

(b) Permits remaining after allocation pursuant to subdivision (a) of this subsection shall be issued by lottery. Not more than ten percent of permits may be issued to nonresident applicants.

(c) Any permits remaining after permits have been allocated pursuant to subdivisions (a) and (b) of this subsection shall be issued by the Department on a first-come, first-served basis. Ten percent of the remaining permits may be issued to nonresident applicants.

4.3 No person may purchase or possess more than two antlerless deer permits at one time, only one of which may be acquired pursuant to subsection 4.2(a) or (b) of this section. No person may purchase or possess more than one antlerless deer permit for an individual wildlife management unit at one time. A person may purchase additional antlerless deer permits after the person has harvested an antlerless deer.

## **45.0 Annual Deer Limit**

45.1 A person shall not take more than four white-tailed deer in a ~~calendar~~ calendar year, only one of which may be a legal buck, with the following exceptions.

4.2(a) Youth and novice hunters shall be allowed to take two legal bucks, provided that one is taken during the youth or novice season, not to exceed the annual limit of four white-tailed deer.

(b) A person shall be allowed to take one additional buck, not to exceed the annual limit of four white-tailed deer, provided they have:

(1) Purchased a second buck tag.

(2) Previously taken and reported an antlerless deer in the current year, and

(3) Previously taken and reported an antlered buck in the current year that had at least one antler with 3 or more antler points.

5.2 No person shall take deer in a WMU unless they are licensed, permitted or explicitly authorized to do so by the Board rules, or procedures adopted in accordance with 10 V.S.A § 4082 (c).

## **6.0 Regular Season**

6.1 Season Dates: Pursuant to 10 V.S.A. § 4084 for 16 consecutive days commencing 12 days prior to Thanksgiving Day.

6.2 Limit:

(a) One legal buck, not to exceed the annual limit as prescribed in Section 6.1 of this rule, and

(b) One antlerless deer per antlerless deer permit, not to exceed the annual limit as prescribed in section 6.1 of this rule.

## **57.0 Antlerless October Muzzleloader Deer Season.**

~~57.1 Season Dates:~~ For four consecutive days, commencing on the Thursday 16 days prior to the opening day of the regular rifle season ~~shall be the antlerless deer season.~~

~~57.3-2 Limit:~~ A person may take one antlerless deer per antlerless deer permit. ~~A person may take additional antlerless deer if they obtain additional antlerless deer permits,~~ not to exceed the annual limit as prescribed in section ~~46.1~~ of this rule. ~~No person may purchase or possess more than one antlerless deer permit at a time, or purchase a subsequent antlerless deer permit until the person has harvested an antlerless deer. If a person possesses a permit to take an antlerless deer, then the person may take an antlerless deer.~~

~~57.23~~ A person hunting under this section shall obtain a muzzleloader license as provided in 10 V.S.A. § 4252 and must possess an antlerless deer permit.

~~57.4~~ A person hunting with a muzzleloading firearm pursuant to this rule shall not carry any firearms other than one single-barreled muzzleloading firearm as defined in 10 V.S.A. § 4001(33) while hunting deer during this season.

~~57.5~~ No person taking deer by means of muzzleloader may possess archery equipment or crossbow while hunting.

~~5.6~~ No person shall take a deer in a WMU unless they are licensed, permitted or explicitly authorized to do so by the Board rules, or procedures adopted in accordance with 10 V.S.A. § 4082 (e).

## **68.0 Muzzleloading December Muzzleloader Season.**

~~68.1 Muzzleloader Season Dates:~~ For the nine consecutive calendar days commencing on the first Saturday after the completion of the regular rifle deer hunting season, ~~a person may take one legal buck by muzzleloading firearm.~~

### 8.2 Limit:

(a) ~~One legal buck, not to exceed the annual limit by muzzleloading firearm, provided that they have not yet taken a buck as prescribed in Section 46.1 of this rule, and~~

(b) ~~If the Board has authorized the taking of antlerless deer, and if a person possesses an antlerless deer permit, then the person may take an antlerless deer. No person may purchase or possess more than one antlerless deer permit and a person can only purchase a subsequent antlerless deer permit after the person has harvested an antlerless deer. One antlerless deer per antlerless deer permit,~~ not to exceed the annual limit as prescribed in section ~~46.1~~ of this rule.

~~68.2-3~~ A person hunting with a muzzleloading firearm under this section shall obtain a muzzleloader license as provided in 10 V.S.A. § 4252.

~~68.3-4~~ A person hunting with a muzzleloading firearm pursuant to this rule shall not carry any firearms other than one single-barreled muzzleloading firearm as defined in 10 V.S.A. § 4001(33) while hunting deer during this season.

~~68.4-5~~ No person taking deer by means of muzzleloader may possess archery equipment or crossbow while hunting.

~~6.5~~ No person shall take a deer in a WMU unless they are licensed, permitted or explicitly authorized to do so by the Board rules, or procedures adopted in accordance with 10 V.S.A. § 4082(c).

## **79.0 Archery Season**

~~79.1~~ Archery Season Dates: October 1 through December 15, ~~except during the regular rifle deer hunting season:~~

### 9.2 Limit:

(a) One legal buck, ~~may be taken by bow and arrow or crossbow, during the archery season anywhere in the state;~~ not to exceed the annual limit as prescribed in Section ~~46.1~~ of this rule, and

(b) In Wildlife Management Units declared open by the Board to the taking of antlerless deer, a person may take one antlerless deer per archery antlerless deer tag, not to exceed the annual limit as prescribed in Section 6.1 of this rule.

~~79.2-3~~ A person hunting with a bow and arrow or crossbow under this section shall obtain an archery license as provided in 10 V.S.A. § 4252. An archery license will be valid for one deer; additional archery licenses are required for the taking of additional deer.

~~7.4~~ Crossbows may be used as a means of take during any season that permits the use of a bow and arrow.

9.4 A person shall use only a bow and arrow or a crossbow to take deer during this season.

~~79.5~~ The holder of an archery license or a super sport license, hunting with a bow and arrow or a crossbow, may possess a handgun while archery hunting, in accordance with 10 V.S.A. § 4252(b), provided that the license holder shall not take game by firearm while hunting.

~~7.6~~ Unless it is uncocked, a person shall not possess or transport a crossbow in or on a motor vehicle, motorboat, airplane, snowmobile, or other motor-propelled vehicle except as permitted in accordance with 10 V.S.A. § 4705.

~~7.3~~ The Board may establish 9.6 Expanded Archery Zones

(a) Within these zones, the archery season shall begin September 15. From September 15 to September 30, only antlerless deer may be taken.

(b) {Zone Boundaries}

### Wildlife Management Unit A

All of Wildlife Management Unit A as described in 10 App. V.S.A. § 2b.

### Newport

All lands within the city of Newport.

### Burlington Area

Beginning on the shore of Lake Champlain at the end of Beach Road (Shelburne T.H. #22) in Shelburne proceed south along Beach Road to Bostwick Road (Shelburne T.H. #3); then northeast along Bostwick Road to Marsett Road (Shelburne T.H. #11); then east along Marsett Road to Falls Road (Shelburne T.H. #2); then east along Falls Road to Irish Hill Road (Shelburne T.H. #2); then east along Irish Hill Road to Spear Street (Shelburne T.H. #6); then north along Spear Street to Barstow Road (Shelburne T.H. #8); then east along Barstow Road to Cheeseactory Road (Shelburne T.H. #8); then east along Cheeseactory Road to State Route 116; then south along Route 116 to South Brownell Road (Williston T.H. #5); then north along South Brownell Road to Walker Hill Road (Williston T.H. #18); then east along Walker Hill Road to State Route 2A (Saint George Road); then north along Route 2A to Interstate Highway 89; then east along Interstate Highway 89 to Oak Hill Road (Williston T.H. #1); then north along Oak Hill Road to North Williston Road (Williston T.H. #1); then north along North Williston Road to State Route 117 (River Road); then west along Route 117 to State Route 289; then north and west along Route 289 to Susie Wilson Bypass (Essex T.H. #3); then southwest along Susie Wilson Bypass to Kellogg Road (Essex T.H. #5); then west along Kellogg Road which becomes Severance Road (Colchester T.H. #7); then west along Severance Road to Blakely Road (Colchester T.H. #9); then west along Blakely Road to East Lakeshore Drive; then in a straight line north to the shore of Lake Champlain; then west and south along the shore of Lake Champlain to the point of beginning.

### Montpelier

All lands within the city of Montpelier.

### Saint Johnsbury Area

Beginning at the junction of Hospital Drive (St. Johnsbury State Highway) and Interstate Highway 91 proceed east along Hospital Drive to Depot Hill Road (St. Johnsbury T.H. #85); then east along Depot Hill Road to U.S. Route 5 (Memorial Drive); then north along US Route 5 to Breezy Hill Road (St. Johnsbury T.H. #6); then east along Breezy Hill Road to Lackey Hill Road (St. Johnsbury T.H. #20); then east along Lackey Hill Road approximately 300 feet to the power line; then south along the power line to the electric substation off Higgins Hill Road (St. Johnsbury T.H. #80); then south along the power line to Interstate Highway 93; then west along Interstate Highway 93 to Interstate Highway 91; then north along Interstate Highway 91 to the point of beginning.

### Rutland Area

Beginning at the junction of State Route 4A and U.S. Route 4 in West Rutland proceed east along U.S. Route 4 to U.S. Route 7; then south along U.S. Route 7 to North Shrewsbury Road (Clarendon T.H. #4); then east along North Shrewsbury Road to East Clarendon Road (Clarendon T.H. #8); then north along East Clarendon Road to Cold River Road (Clarendon T.H. #8); then north along Cold River Road to the Rutland Town/Clarendon town line; then east along the Rutland Town/Clarendon town line to the Mendon town line; then north along the Rutland Town/Mendon town line to U.S. Route 4; then west along U.S. Route 4 to Post Road (Rutland Town T.H. #30); then north and west

along Post Road to U.S. Route 7; then south along U.S. Route 7 approximately 0.1 miles to the triple power line; then west and southwest along the triple power line to the junction west of Grove Street (Rutland City T.H. #6); then south along the double power line to the junction near the end of Evergreen Avenue (Rutland City T.H. #174); then west along the power line to the junction west of West Proctor Road (Rutland Town T.H. #6); then north along the power line to the junction north of Durgy Hill Road (West Rutland Town T.H. #12); then west along the power line to Marble Street (West Rutland Town T.H. #3); then south along Marble Street to Water Street (West Rutland Town T.H. #19); then west along Water Street to Whipple Hollow Road (West Rutland Town T.H. #4); then south along Whipple Hollow Road to Route 4A; the west along Route 4A to the point of beginning.

#### Bennington Area

Beginning at the junction of U.S. Route 7 and State Route 313 in Arlington proceed west along Route 313 to State Route 7A; then south along Route 7A to West Mountain Road (Shaftsbury T.H. #54); then west along West Mountain Road to Laclair Road (Shaftsbury T.H. #64); then west along Laclair Road to Murphy Hill Road (Shaftsbury T.H. #9); then west along Murphy Hill Road to Sally Gannon Road (Shaftsbury T.H. #13), then west along Sally Gannon Road to the New York state border; then south along the New York state border to State Route 346; then east along Route 346 to North Pownal Road (Pownal T.H. #2); then east along North Pownal Road to U.S. Route 7; then south along U.S. Route 7 to Barber Pond Road (Pownal T.H. #3); then east along Barber Pond Road to South Stream Road (Pownal T.H. #3); then east and north along South Stream Road to Gore Road (Bennington T.H. #54); then east along Gore Road to Burgess Road (Bennington T.H. #53); then north along Burgess Road to Barney Road (Bennington T.H. #52); then north along Barney Road to State Route 9, then west along Route 9 to State Route 279; then north along Route 279 to Chapel Road (Bennington T.H. #16); then north along Chapel Road to East Road (Shaftsbury T.H. #5); then north along East Road to U.S. Route 7; then north along U.S. Route 7 to the point of beginning.

#### Brattleboro Area

Beginning at the Interstate Highway 91 bridge over the West River in Brattleboro proceed southeast along the north shore of the West River to the New Hampshire state border; then south along the New Hampshire state border to Broad Brook; then west along Broad Brook to State Route 142; then north along Route 142 to Broad Brook Road (Vernon T.H. #6); then west along Broad Brook Road to U.S. Route 5; then north along U.S. Route 5 to Guilford Center Road (Guilford T.H. #1); then southwest along Guilford Center Road to Tater Lane (Guilford T.H. #23); then north along Tater Lane which becomes South Street (Brattleboro T.H. #72); then north along South Street to State Route 9; then northwest along Route 9 to Meadowbrook Road (Brattleboro T.H. #26); then north along Meadowbrook Road to upper Dummerston Road (Brattleboro T.H. #5); then southeast along Upper Dummerston Road to Interstate Highway 91; then north along Interstate Highway 91 to the point of beginning.

#### 8.0 Regular Rifle Season

8.1 Pursuant to 10 V.S.A. § 4084 for the 16 consecutive calendar days commencing 12 days prior to Thanksgiving day, a person may take by lawful means one legal buck. No person shall take a deer in a WMU unless they are licensed, permitted or explicitly authorized to do so by the Board rules, or procedures adopted in accordance with 10 V.S.A. § 4082(c).

### **910.0 Youth Deer Hunting Weekend**



**910.1 Season Dates:** Pursuant to 10 V.S.A. § 4742a, the Saturday and Sunday ~~three one~~ weeks prior to the opening day of the regular ~~rifle deer hunting~~ season shall be youth deer hunting weekend.

**910.2 Limit:** One white-tailed deer. One legal buck may be taken during the youth deer hunting weekend, or any deer if the Board has authorized the taking of antlerless deer during youth hunting weekend.

**910.3** To participate in the youth deer hunt, a qualified youth must be 15 years of age or younger and have a valid Vermont hunting license and a youth deer hunting weekend license.

**910.4** The youth must be accompanied by an unarmed adult who holds a valid Vermont hunting license and who is 18 years of age or older. An adult accompanying a youth under this section shall accompany no more than two young people at one time. As used in this section, “accompany,” “accompanied,” or “accompanying” means direct control and supervision, including the ability to see and communicate with the youth hunter without the aid of artificial devices such as radios or binoculars, except for medically necessary devices such as hearing aids or eyeglasses.

**910.5** No youth shall hunt under this section on privately owned land without first obtaining the permission of the owner or occupant.

## **1011.0 Novice Season**

**1011.1 Novice-Season Dates:** This season shall be concurrent with the Youth Deer Hunting Weekend as prescribed in 10 V.S.A. § 4742a and section ~~9101.1~~ of this rule.

**1011.2 Limit:** One white-tailed deer. One legal buck may be taken during this season, or any deer if the Board has authorized the taking of antlerless deer during youth hunting weekend.

**1011.3** To participate in the novice season, a qualified person must have a valid Vermont hunting license, and follow the requirements of youth hunting week-end.

**1011.4** The novice hunter must be accompanied by an unarmed adult who holds a valid Vermont hunting license and who is 18 years of age or older. An adult accompanying a novice under this section shall accompany no more than two novice hunters at one time. As used in this section, “accompany,” “accompanied,” or “accompanying” means direct control and supervision, including the ability to see and communicate with the novice hunter without the aid of artificial devices such as radios or binoculars, except for medically necessary devices such as hearing aids or eyeglasses.

**1011.5** No Novice hunter shall hunt under this section on privately owned land without first obtaining the permission of the owner or occupant.

## **1112.0 Reporting.**

**1112.1** A deer carcass shall be field dressed prior to reporting in accordance with 10 V.S.A. App. § 2.

**1112.2** Upon request, the person harvesting a deer shall show and return to the kill site with a Game Warden.

12.3 A deer carcass may be quartered or deboned in the field prior to reporting provided all requirements of 10 V.S.A. App. § 2 and 10 V.S.A. §§ 4921 through 4925 are met. The viscera, hide, upper and lower leg bones, backbone, pelvis, and ribs may be left in the field. Evidence of sex (genitalia, antlers of deer,) must be retained for reporting. All other required biological samples must also be retained for reporting, including both central incisors of deer, during the November firearm season and novice weekend

### **1213.0 Feeding of Deer.**

1213.1 No person shall feed white-tailed deer at any time in Vermont except:

(a) Under a license or permit issued pursuant to 10 V.S.A. § 4152 by the Department for bona fide scientific research, mitigation of wildlife damage or nuisance problems, or wildlife population reduction programs only; or

(b) By planting, cultivating or harvesting of crops directly associated with bona fide agricultural practices, including planted wildlife food plots; or

(c) By distribution of food material for livestock directly associated with bona fide agricultural practices; or

(d) By cutting of trees or brush; or

(e) By incidental feeding by an elevated bird/squirrel feeders (feeders must be at least five feet above the ground) providing seed, grain, fruit, worms, or suet for birds or squirrels, located within 100 feet of an occupied dwelling.

### **1314.0 Baiting**

1314.1 No person shall take deer by using bait. Exempted from this prohibition are:

(a) Incidental feeding of wildlife within active livestock operations;

(b) Standing crops planted and left standing as food plots for wildlife;

(c) Grain or other feed scattered or distributed solely as a result of normal agricultural, gardening, or soil stabilization, and logging practices;

(d) Vegetation or food/seed naturally deposited.

1314.2 No person shall take any game or wild animal by using bait during deer seasons established under Part 4 of Title 10 or by rules of the Board, except that persons taking furbearers as authorized under 10 V.S.A. § 4252(3) may use bait in conjunction with traps being set to take furbearers.

### **1415.0 The Ban of urine and other natural lures.**

1415.1 Authority. The Fish & Wildlife Board finds that, in order to protect the health of white-tailed deer in Vermont, it is necessary to prohibit the use of cervid urine, blood, glands, gland oil, feces, or other bodily fluids for the purpose of taking or attempting to take deer.

1415.2 Restricted and Permitted Uses of cervid urine, blood, glands, gland oil, feces, or other bodily fluids.

(a) No person shall possess while hunting or use, for the purposes of taking or attempting to take, attracting, surveillance or scouting deer; any product that contains or purports to contain any cervid urine, blood, gland oil, feces, or other bodily fluids.

(b) A person may utilize the body parts of a wild Vermont white-tailed deer legally taken or acquired by that person for coyote hunting.

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