

**Fish and Wildlife Board
Meeting Minutes**

Wednesday, September 23, 2020

The Vermont Fish and Wildlife Board held a meeting at 5:00 p.m. on Wednesday, September 23, 2020 via video conference. Members of the public joined the conference call at: 929-436-2866 with meeting ID: 836 7456 3117

Agenda:

- 1) Review of Previous Meeting Minutes.
 - September 3, 2020,
- 2) Public Comments (Limited to 2 minutes per speaker)
- 3) Turkey and Big Game Reporting Rule - Final Vote
- 4) Commissioner's Update

Board Members in Attendance: Tim Biebel (Board Chair); Brian Bailey; Michael Bancroft; Jay Sweeny; Bill Pickens; Marty Van Buren; David Robillard; Wendy Butler; Dennis Mewes; and David Fielding.

Department Staff in Attendance: Louis Porter, Commissioner; Mark Scott, Wildlife Division Director; Catherine Gjessing; General Counsel; Col. Jason Batchelder, Law Enforcement Division Director; Adam Miller, Wildlife Program Manager; and Will Duane, Executive Assistant.

Members of the Public in Attendance: Justin Lindholm; 2 other members of the public joined the meeting and could not be positively identified by their phone numbers or usernames.

The meeting was called to order by the Chair at 5:00 PM

Approval of Previous Meeting Minutes

The September 3, 2020 meeting minutes were approved by a unanimous roll-call vote.

Public Comments (Limited to 2 minutes per speaker)

Justin Lindholm: There was as summary of the new deer seasons and regulations in the Times Argus and Rutland Herald that listed the wrong information related to a hunter's ability to harvest a buck during the new antlerless muzzleloader season. That is incorrect, the paper has corrected the error online, hopefully there will be a correction in the print versions as well.

Additionally, there may be a misunderstanding regarding the necessity of protecting deer wintering areas from human interference within the Department and the Agency of Natural Resources. There was a paper produced by the Department in the 90s concerning the effects of human activities near deer wintering areas which may be currently misinterpreted by some Agency and Department staff. The threat to deer is not from sound but rather the physical disruption and killing of deer by dogs in their wintering areas. I would like to see this addressed and corrected.

Turkey Rule Changes – Third Vote

The turkey rule at 10 V.S.A. App. § 22 has been unchanged from initial approval at the May 2020 Board Meeting. On September 21, 2020 the rule change was approved by the Legislative Committee on Administrative Rulemaking. The Board made no additional changes to the rule at this September 23rd meeting.

Vote: The rule was approved by a unanimous roll call vote

Big Game Reporting Rule—Confirmation of Second Vote

Due to a clerical error, 28 of the 95 public comments received regarding the big game reporting rule were not made available to the Board when they voted on the big game reporting rule at the September 3, 2020 Board Meeting. The complete compilation of comments was provided to the Board as soon as the error was noticed. Board Chair Tim Biebel and Commissioner Porter requested that Board Members take an additional straw vote to confirm their position on the Big Game Reporting Rule.

Vote: The straw vote from the September 3, 2020 Board Meeting, and the Board Members' vote was reaffirmed by a unanimous roll vote.

Commissioner's Update:

- If the big game reporting rule is approved at the October 5, LCAR meeting we will likely have a Fish and Wildlife Board Meeting on Wednesday, October 7 to hold a third vote on the rule change proposal.
- We have put a placeholder in the 2021 law digest noting that there may be electronic big game reporting available and that hunters should check the Department's website for more information. We feel this is appropriate because the potential changes are additional options for hunters, not restrictions on current options. Successful hunters will still be able to report in-person if they choose, unless an emergency situation prevents it.
- Early season bear hunters are having success this year, there have been 314 bears harvested and reported as of today, representing about 100 more bears harvested this year compared to the same time last year. 2019 saw a record 750 bears harvested in Vermont.
- Department staff are capturing woodcock for radio tag placement as part of a flyway study conducted by the University of Maine on survival of woodcock during migration. The

Department is happy to be a partner in this study. 12 birds have been captured and released so far.

- On Saturday, September 26, there will be a gathering to celebrate the Department's newest WMA acquisition in Shrewsbury. This is an exciting opportunity to celebrate our 100th WMA over the last 100 years.

The Meeting was adjourned at 5:35 PM

The mission of the Vermont Fish and Wildlife Department is the conservation of all species of fish, wildlife and plants and their habitats for the people of Vermont.

**TITLE 10 APPENDIX
CHAPTER 1. GAME
Subchapter 1. General Provisions**

§ 22. Turkey Seasons

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 turkey flock.

1.3 In accordance with 10 V.S.A. § 4084, this rule establishes daily, season and possession limits for game, territorial limits; to prescribe the manner and means of taking; to establish territorial limits for the taking of turkeys; and to establish restrictions on taking based upon sex, maturity or other physical distinction.

2.0 Purpose The purpose of this regulation is to establish seasons for the taking of turkeys, to establish open Wildlife Management Units (WMUs) for the taking of turkeys, to establish methods of taking turkeys and to establish limits on the number of turkeys to be taken.

3.0 Definitions

3.1 "Commissioner" means the Commissioner of the Vermont Fish and Wildlife Department.

3.2 "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 for a crossbow that resembles an arrow and has a head that measures no less than 7/8 inch at its widest point. A crossbow shall have a minimum pull of 125 pounds, a working mechanical safety and a stock no less than 23 inches in length.

~~3.3 "Department" means the Vermont Fish and Wildlife Department.~~

~~3.4~~ "Legal means" means the taking of a turkey by shotgun, crossbow, or archery equipment in conformance with Section 6 of this rule.

3.4 "Novice" means a person who obtained their first hunting license within the past 12 months and is 16 years of age or older.

~~3.6 "Permit" means a document issued by the Department authorizing the taking of a turkey.~~

3.5 "Wildlife Management Unit" (WMU) means one of 21 geographical areas in Vermont for which big game regulations may vary.

3.6 "Youth" means a person who is 15 years of age or younger.

4.0 Spring Season

4.1 Dates: May 1, through May 31, inclusive.

4.2 Shooting hours: One-half hour before sunrise to twelve noon.

4.3 Legal turkey: Only wild turkeys with beard(s).

4.4 Bag Limit: Two bearded wild turkeys per person per season.

4.5 Open WMUs: Open statewide

5.0 Fall Season.

5.1 Dates and Open WMU's.

(a) Bow and Arrow, and crossbow only:

i. Dates: From the 1st Saturday in October to the beginning of the shotgun/bow and arrow/crossbow season.

ii. Open WMUs: Open Statewide

(b) Shotgun/Bow & Arrow/Crossbow Season

i. Dates: Nine consecutive days beginning 21 days prior to the regular deer season, inclusive.

ii. Open WMUs: B, D, G, H, I, J, L, M, O, P, and Q and their respective subunits:.

(c) Shotgun/Bow & Arrow/Crossbow Season

i. Dates: For 16 consecutive days beginning 21 days prior to the regular deer season, inclusive.

ii. Open WMUs: subunits: WMUs F, K, and N and their respective subunits:.

5.2 Shooting hours: One-half hour before sunrise to one-half hour after sunset.

5.3 Legal Turkey: Any wild turkey.

5.4 Bag limit: One turkey per person.

6.0 Legal Method of Taking:

6.1 Only a shotgun, crossbow, or bow and arrow may be used.

6.2 Only number 2 or smaller size~~through number 8~~ shot shall be used or possessed.

6.3 An arrowhead must be at least 7/8th of an inch in width and have two or more cutting edges.

6.4 Rifles shall not be used or carried by any person while hunting turkeys. A person taking a turkey with a crossbow or bow and arrow may carry a handgun in accordance with 10 V.S.A. § 4252(b), however, that person may not use the handgun to take turkey.

6.5 No person shall use dogs in the spring, nor electronic calling devices, bait, live decoys, or participate in cooperative drives during either season.

6.6 Any person wishing to hunt turkey with a crossbow or bow and arrow must hold proof of having held an archery license or a certificate of satisfactory completion of a bowhunter education course from Vermont or another state or province of Canada which is approved by the Commissioner.

6.7 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.

7.0 Youth Turkey Hunting Weekend

7.1 Youth turkey hunting weekend shall be the Saturday and Sunday prior to opening day of spring turkey season on May 1. Legal shooting hours shall be one half hour before sunrise until 5 p.m.

7.2 Legal Turkey: Only bearded turkeys may be taken.

7.3 Bag limit: One bearded turkey per youth. A youth may also hunt during the spring season and take two bearded turkeys during that season.

7.4 ~~Season: One half hour before sunrise until 5 p.m.~~ To participate in the youth turkey hunt, a qualified youth must be 15 years of age or younger and have a valid Vermont hunting and turkey license and a youth turkey hunting weekend license.

7.5 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.

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

8.0 Novice Turkey Hunting Weekend Season

8.1 Novice Season: This season shall be concurrent with the Youth Turkey Hunting Weekend as prescribed in 10 V.S.A. § 4908 and section 7.1 of this rule.

8.2 Limit: One bearded turkey per novice. A novice may also hunt during the spring season and take two bearded turkeys during that season.

8.3 To participate in the novice turkey hunting weekend, a qualified person must have a valid Vermont hunting and turkey license and a novice turkey hunting weekend license and follow the requirements of youth turkey hunting weekend.

8.4 The novice 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.

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

AS Approved on Second Vote

ANNOTATED

10 App. V.S.A. § 2. Report, big game

(a) ~~A~~ Unless otherwise specified in the 10 App. V.S.A. section relating to the specific big game species, a person taking big game, as defined by 10 V.S.A. § 4001(31), pursuant to the seasons provided by law or regulation of the Fish and Wildlife Board, shall within 48 hours report the taking and exhibit the carcass in the manner required by the Commissioner. The Commissioner may authorize a person taking big game to report in the following manners including but not limited to; electronic reporting via email or website or mobile application, telephone, or in-person reporting. The Commissioner may waive the exhibition of the carcass unless requested by a warden. The Commissioner shall publish the reporting and exhibition requirements. to the nearest game warden, official Fish and Wildlife Department Reporting Station, or to a person designated by the Commissioner to receive the reports.

(b) Notwithstanding the reporting requirements of 10 App. V.S.A. § 7 subsection 8.3 of the Bear Management Rule and 10 App. V.S.A. § 33 subsection 14.3 of the Moose Management Rule, in the event of an emergency, the Commissioner may authorize any person who takes big game to report and exhibit the carcass in the manner required by the Commissioner. The Commissioner shall publish the reporting and exhibition requirements during the emergency period. For the purposes of this section, "emergency" shall mean "a serious, unexpected, and dangerous situation that poses a threat to public health or safe, or to wildlife or natural resources, and requires immediate action."(c) No big game carcass shall be transported out of the State without first being reported as required herein.

(d) The Commissioner shall pay to the authorized agent a fee of \$1.00 for each report taken on species where reports are required by law.

AS Amended

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