

**Regulation #999**  
**Text of Rule**

**MOOSE**

**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 moose herd.

**1.3** In accordance with 10 V.S.A. § 4082, the Board may establish open seasons; daily, season, and possession limits for game; prescribe the manner and means of taking moose; establish territorial limits for the taking of moose; and establish restrictions on taking based upon sex, maturity, and other physical distinctions.

**1.4** In accordance with 10 V.S.A. § 4254, this rule establishes a process to auction up to five (5) moose permits.

**2.0 Purpose**

The purpose of this regulation is to establish a moose season, to establish the procedures to be used in applying for and issuing moose permits, to establish the administrative framework for regulating the taking of moose, to establish open Wildlife Management Units (WMUs) for the taking of moose, and to establish limits on the number of moose to be taken.

**3.0 Moose Season**

There shall be one split moose season annually with the first season open for six consecutive days beginning the third Saturday in October and ending the following Thursday; both dates inclusive. All either-sex permits, along with any antlerless permits in WMU O, shall be valid only during the first season. The second season shall be open for nine consecutive days beginning the fourth Saturday in October and ending the following Sunday, both dates inclusive. All antlerless permits in WMUs D2, E1 and E2 shall be valid only during the second season.

**4.0 Possession Limit**

The possession limit for moose shall be one moose per moose hunting permit.

## **5.0 Moose Hunting Permits**

**5.1** Moose hunting permits shall be required to take a moose and will be issued by the Vermont Department of Fish and Wildlife (Department). At the time of issuance, permit recipients and designated subpermittees must also hold a valid Vermont big game hunting license. When issued a guide pass under paragraph 7.11, the individual to whom the guide pass is issued must hold a current valid Vermont big game hunting license.

**5.2** Ten (10) percent of the moose hunting permits in any WMU shall be issued to non-resident hunters.

**5.3** Moose hunting permits are valid only within the WMU designated on the permit and only for the sex specified on the permit.

## **6.0 Permit Application Process**

**6.1** Application must be made on an official moose hunting application form provided by the Department. This application is not for a permit to take a moose, but to be entered into a drawing to have the opportunity to purchase a permit.

**6.2** The Department will consider only complete applications. For an application to be complete it must be legible, must contain all the information requested by the Department, shall contain no false statements, must bear the applicant's official signature, and must be accompanied by any required application fee. Facsimile transmissions will not be accepted as complete applications.

**6.3** The Department will consider no more than one complete application from any permit applicant in any one year.

**6.4** Beginning with the 2007 lottery, legal but unsuccessful applicants from the 2006 lottery may accrue one additional number ('bonus point') to be entered in the current year's lottery. Thereafter, a person may accumulate one additional chance, or bonus point, to win the lottery for each consecutive year that person legally purchases an application, but is not selected to receive a permit. A person's accrued points shall be lost if:

**6.4.1** The applicant fails to provide an eligible application for a given year's lottery;

**6.4.2** The successful applicant is issued a valid permit for a given year.

**6.5** No person who has held a Vermont moose hunting permit in any of the previous three (3) calendar years may apply for a moose hunting permit or a bonus point in the current calendar year.

**6.6** Applicants may elect to accrue a bonus point even without entering the moose hunt lottery by submitting a completed application and fee and indicating at the appropriate place on the application form that they do not wish to be entered in the lottery.

**6.7** Complete applications must be received at the Department's Headquarters in Waterbury either by mail postmarked no later than the first Tuesday in June or hand-delivered by 4:30 p.m. on this date.

## **7.0 Permit Selection Process**

**7.1** Upon receipt, complete applications will be sorted by applicant's residency status (resident or non-resident). Within each category, applications will be serially numbered from one (1) to the total number of applications received. Applicants will receive one additional entry into the lottery draw for each accrued bonus point.

**7.2** Each successful application will be entered into the database with its unique serial number.

**7.3** If a selection process is needed, a computer will randomly select the appropriate number of applicants to fulfill each WMU's quota. Selected applicants will receive a permit for their WMU of preference until the permit quota for their preferred WMU is filled, at which time a permit will be awarded for their second choice WMU, and so on.

**7.4** Successful applicants will be notified by mail, and will receive a permit form to complete.

**7.5** The Commissioner may grant a one time, one year deferment to successful applicants for reasons of personal or family illness, temporary physical disability, or military deployment. Requests for deferment shall be submitted in writing to the Commissioner and received no later than three (3) days prior to the start of the moose season for which a valid permit has been issued and shall contain information required by the Commissioner to substantiate the request. Deferred permits shall be issued for the same WMU and permit type (either-sex or antlerless) as the originally issued permit.

**7.6** The applicant may designate one (1) subpermittee who shall be permitted to hunt moose pursuant to the permit. Once the applicant has provided the name of their selected subpermittee to the Department, no change to this selection will be allowed except for personal or family illness, temporary physical disability, or military deployment and then only if the request to the Commissioner is made in writing and received no later than three (3) days prior to the start of the moose season for which a valid permit has been issued.

**7.7** Subpermittees need not be Vermont residents.

**7.8** No person who has held a Vermont moose hunting permit in any of the previous three (3) calendar years may be designated as a subpermittee in the current calendar year.

**7.9** No successful permit applicant may be designated as a subpermittee on another Vermont moose hunting permit in the same year.

**7.10** No subpermittee shall be named as a subpermittee on more than one permit during the same year.

**7.11** In addition to the subpermittee, the permittee may be accompanied by one other person while moose hunting, known as the “guide.” The guide shall be allowed to direct, aid, assist, and instruct the permittee and subpermittee during the hunt but may not shoot the moose nor carry any firearm or bow. The permittee shall be issued a guide pass that must be carried at all times on the person of the guide while moose hunting. The guide pass may be carried by different persons at any time during the moose hunt, but only one person at a time may serve as a guide for each moose hunting party. One person may simultaneously serve as a guide for more than one moose hunting party but must be carrying the proper guide pass for each party involved.

**7.12** All successful permit applicants will receive a moose hunter's handbook with information including moose hunting rules and regulations, hunter safety and ethics, and proper care of meat.

**7.13** Alternates will be selected as described in paragraph 7.3 to replace those who do not complete and return the permit form by the last Thursday in August.

**7.14** Validated moose hunting permits will be issued to permittees only after the permit form has been legibly completed and returned to the Department.

**7.15** The valid permit will show:

- 7.15.1** WMU designation
- 7.15.2** Permit number
- 7.15.3** Permittee's Vermont hunting license number
- 7.15.4** Permittee's name, address and signature
- 7.15.5** Date of issuance
- 7.15.6** Subpermittee's name, address, and license number
- 7.15.7** Department validation
- 7.15.8** Moose tag number

**7.16** The guide pass will show:

- 7.16.1** WMU designation
- 7.16.2** Permit Number
- 7.16.3** Permittee's name
- 7.16.4** Date of issuance

## **8.0 Control Measures**

**8.1** All laws and regulations pertaining to the hunting and taking of big game in Vermont apply to moose, except as provided below:

- 8.2** Permittees, subpermittees and guides must hold a valid Vermont hunting license.
- 8.3** When moose hunting, the permit holder must carry the permit.
- 8.4** The subpermittee must always be accompanied by the permit holder. For these purposes, "accompanied," means being able to communicate without the aid of artificial devices except medically prescribed eyeglasses or hearing aids.
- 8.5** No persons other than the permittee, subpermittee, and guide shall participate in a joint hunt to take moose. Once a moose is legally tagged, there is no limit to the number of persons that can assist with the field dressing and removal of the moose from the kill site.
- 8.6** Portable radio transceivers and/or cell phones shall not be used in the hunting or taking of moose. Such devices may be used, however, after the moose is legally tagged.
- 8.7** No electronic devices such as radio telemetry equipment may be used as an aid to take moose.
- 8.8** No electronic devices shall be used to attract moose.
- 8.9** Moose may be taken only with the following implements:
- 8.9.1** Centerfire rifles or handguns not less than .25 caliber.
- 8.9.2** A muzzleloading firearm of not less than .50 caliber, with a minimum barrel length of 20 inches and designed to be fired from the shoulder, or a muzzleloading pistol of not less than .50 caliber and with a minimum barrel length of 10 inches.
- 8.9.3** Bows of not less than 60 pound draw weight, based on the archer's normal draw length for traditional bows, and using arrowheads with at least 7/8 of an inch in width with two or more cutting edges.
- 8.9.4** Shotguns not less than 12 gauge and with slugs only.
- 8.10** No person shall shoot or attempt to shoot a moose when the moose is within 100 yards of any town, state, or federal highway as defined in 10 V.S.A. § 4705(f).
- 8.11** Swimming moose shall not be taken.
- 8.12** Tagging, reporting, (Title 10, Appendix 2(a) notwithstanding), and transporting of moose shall be done according to current regulations and statutes pertaining to big game except that moose must be reported by exhibiting the eviscerated carcass, or parts thereof, to a Department official at a Department-authorized moose check station during its scheduled days and hours of operation within 48 hours of tagging. The moose head, hide, lower legs, and boned-out backbone and/or ribcage need not be reported; however, both complete central incisors must be presented. If the moose is a male, the antlers must also be presented and the scrotum containing the testicles must be left attached to the carcass or one of the hindquarters.

If the moose is female, the udder must also be left attached to the carcass or one of the hindquarters. No moose shall be transported out of the state without first being reported as required herein.

**8.13** The permittee and/or subpermittee must identify the exact kill site on a Department map, and if requested, shall be required to take Department personnel to the kill site and/or the site of carcass evisceration for purposes such as, but not limited to, verification of the kill site or to obtain ovaries or other biological samples left behind.

**9.0 Permit Allocation**

**9.1** A total of 770 permits to hunt and take moose of any sex and age are authorized for the following WMUs:

WMU	B	C	D1	D2	E1	E2	G	H1	H2	I	J1	J2	L	M	O	P	Q
Either-Sex Permits	10	25	40	170	150	150	20	30	5	30	20	25	20	25	15	30	5

An additional 485 permits to hunt and take only moose that do not have antlers more than 6 inches in length are authorized for the following WMUs:

WMU	D2	E1	E2	O1
Antlerless Permits	170	150	150	15

**10.0 Special Drawing for Those Awarded or Are Eligible to Receive a Campaign Ribbon for Operation Iraqi Freedom or Operation Enduring Freedom (in Afghanistan)**

10.1 Pursuant to 10 V.S.A. § 4254(i) (amended 2008), there shall be a separate drawing for Vermont residents who possess or are eligible to receive a campaign ribbon for Operation Iraqi Freedom or Operation Enduring Freedom through a special priority drawing through the permit lottery system.

10.2 A total of 5 permits will be allocated for this special priority drawing.

10.3 Vermont residents who qualify for the special priority lottery drawing must submit a complete application approved by the Department. A person applying for the special priority lottery permits must have marked the appropriate box on the application indicating that they comply with the provisions of this section.

10.4 Vermont residents who qualify for the special priority lottery drawing and who are not drawn for a moose permit in that special priority drawing, shall be entered into the subsequent regular drawing.

10.5 Vermont residents who qualify for the special priority lottery drawing and who do not receive

a moose permit shall be awarded preference points for the subsequent special priority drawing.

## **11.0 Moose Permit Auction**

**11.1** Five moose permits shall be set aside to be auctioned off. These permits are in addition to the permits authorized in paragraph 9.0 above.

**11.2** The Department will provide a form for submitting written bids, and will set and post an annual deadline for accepting bids. Only bids that are complete and received by the Department's Waterbury office by this deadline will be considered.

**11.3** Permits will be awarded to individuals that submit the 5 highest bids. Individuals submitting the next 5 highest bids will be notified that they are alternates, and that they are eligible, in order of declining bid value, to receive a permit if higher-ranked bidders do not submit payment within a 14-day period following notification.

**11.4** An individual may submit more than one bid; however he/she may only receive one moose permit. If an individual submits multiple bids, only the highest value bid will be included in the auction as an official bid.

**11.5** Once notified of winning a moose permit, successful bidders have 14 days to submit their bids, and to indicate: the type of permit they want (either sex or antlerless), their hunting period (if needed), the Wildlife Management Unit they will hunt in, and their subpermittee, if any.

**11.6** If an individual purchases a moose permit in the auction, and then wins a public chance drawing moose permit, the person is no longer eligible in the current year's auction and the bid amount will be refunded and the next highest unsuccessful bidder will be offered the permit.