

PERMIT TO OPERATE A FOXHOUND TRAINING PRESERVE
PERMIT CONDITIONS

I. PERMIT REQUIREMENTS AND RENEWAL INFORMATION

- A. All persons operating a foxhound training preserve shall be required to possess a valid permit issued by the Department. The annual fee for this permit shall be \$50.00 as provided by § 29.1-417 of the Code of Virginia, 4 VAC 15-20-200, and 4 VAC 15-290-160 of the Virginia Administrative Code.
- B. In accordance with §29.1-525.2 of the Code of Virginia, a permit may only be issued for a location at which, as of 1 January 2014, a foxhound training preserve existed and was operating under a permit issued by the Department.
- C. Provided that the issuance of a permit renewal has been delayed past the expiration date of the permittee's previous permit at no fault of the applicant, the permittee may continue the specific activities authorized by the expired permit until the Department has acted on such person's application for renewal. To qualify for this allowance, applicants must submit a completed renewal application to the Department at least thirty (30) days prior to the expiration date of the permit. The Department may deny renewal of a permit to any applicant who fails to meet the issuance criteria set forth by the Department (4 VAC 15-30-7 of the Virginia Administrative Code). Permit renewal applications will be mailed to applicants approximately two (2) months in advance of their permit expiration date.
- D. In accordance with §29.1-525.2 of the Code of Virginia, no permit shall remain valid after 1 July, 2054.

II. LICENSE REQUIREMENTS

- A. Foxhound training preserves must be in compliance with all applicable state and local ordinances and laws.
- B. Except as specifically provided by law, every person participating in the training of foxhounds in a preserve is required to possess a valid resident or nonresident Virginia hunting license or a nonresident license to hunt exclusively in foxhound training preserves. Resident and nonresident participants are not required to have a hunting license when participating in a Department authorized dog field trial conducted at a permitted foxhound training preserve.
- C. No dog field trials shall be held on any foxhound training preserves without first having obtained a Dog Field Trial Permit from Virginia Department of Wildlife Resources (VDWR).
- D. Permits for foxhound field trials held within foxhound training preserves may be authorized by the Department at any time (§29.1-422 of the Code of Virginia and 4 VAC 15-290-115 of the Virginia Administrative Code).

III. RECORDS AND REPORTS

- A. The permittee shall maintain a complete and accurate registry which shall include each hunter's name, address and phone number, the date of hunt, the number of dogs per hunt, and acknowledgement that all dogs participating in the hunt are up-to-date on their rabies vaccinations. The permittee may choose to maintain a separate contact list with the complete address and telephone number for each hunter, in lieu of requiring contact information in the registry. This registry and hunter contact list shall be kept current, retained for two (2) years and is subject to inspection by VDWR personnel at any reasonable time. The permittee shall maintain and report complete and accurate records on a form provided by the Department on the number, species (red or gray) and source of all foxes trapped within the Commonwealth and stocked in the preserve, including the name and address of each trapper, the county of origin of each fox, and the capture and release dates for each fox. The report form shall be submitted by the permittee to the Department's Permits Section by March 15th of each permit year. No permit shall be renewed until a report form is submitted.

- B. Trappers may be reimbursed for their time and expenses, but the permittee is not authorized to purchase foxes. For each transaction, the permittee is required to supply the trapper with a written receipt that details the amount reimbursed and the specific expenses that are being reimbursed. Permittees and trappers are both required to keep copies of these receipts for at least two (2) years following the end of the permit year. These receipts are subject to inspection by VDWR personnel at any time. Nothing in this permit authorizes the buying or selling of live wild animals. Live, wild foxes trapped, held, transported, and released into training preserves remain the property of the Commonwealth (§ 29.1-557 of the Code of Virginia).

IV. DISEASE PREVENTION

- A. The Department shall be notified within forty eight (48) hours of any observed fox mortality or diseased foxes within the preserve. The permittee shall also notify the Department of any unusual mortality or die-offs of other wildlife species within the preserve. Notification is required in writing to the VDWR Permits Section e-mail address at collectionpermits@dwr.virginia.gov or by phone at 804-367-6913 during regular business hours.
- B. The Department may require specific health management procedures as deemed necessary, including mandatory disease investigation and testing. The Department may also suspend the operation of any preserve or halt the stocking of foxes at any time when warranted due to the threat or presence of wildlife diseases or parasites which may affect wildlife, domestic livestock or public safety. Inspection and treatment of foxes by a licensed veterinarian may be required at the operator's expense. In the event of disease outbreaks, costs associated with the testing, depopulating, cleaning and disinfecting shall be the sole expense of the operator.
- C. The release of diseased foxes or those that have been exposed to diseased animals is prohibited. The Department reserves the right to require or conduct disease testing of foxes and all other species of wildlife in foxhound training preserves, acclimation enclosures, and holding enclosures at any time.
- D. All dogs training in preserves or participating in field trial events shall possess current rabies vaccinations. Preserve operators shall provide a means for hunters and field trial participants to acknowledge, in writing, that their dogs are in compliance with this requirement. Proof of rabies vaccination status shall be the responsibility of the dog owner and shall consist of a current rabies certificate signed by a licensed veterinarian.

V. ANIMAL WELFARE

- A. All foxhound training preserves shall provide the necessary habitat to meet the food, water and cover requirements of wild foxes. Animals being transported or held for release shall likewise be kept in a safe, sanitary and humane manner, with adequate food and water, and protection from the elements. Such conditions are subject to approval by the Department.
- B. Sick, diseased, injured, or otherwise incapacitated animals shall be removed from the preserve, appropriately treated by a licensed veterinarian (at the preserve operator's expense) and returned to the preserve after full recovery, or humanely dispatched. Preserve operators may not treat sick or injured foxes or maintain them in confinement while they recover from sickness or injury.
- C. Shooting of foxes within foxhound training preserves is prohibited, except as a means of humane dispatch for injured or sick animals. It is also unlawful to intentionally allow foxhounds to harm or injure a fox.
- D. Hunting of any species other than foxes is prohibited within the foxhound training preserve unless otherwise provided for by the Department.

VI. ENCLOSURE SIZE

- A. Minimum size of a foxhound training preserve shall be one hundred (100) contiguous acres completely fenced.
- B. A 7½ minute (1:24,000) topographic map or aerial image indicating the fenced preserve boundaries along with the names and addresses of adjacent landowners shall be provided to the Department. If any landowners change or boundaries are altered, a new map or aerial image must be submitted.
- C. For preserves under one hundred and fifty (150) acres, or where deemed necessary by the Department to determine compliance with minimum acreage requirements, the Department shall further require a plat of legible scale by a certified land surveyor that shows ties to property lines (sub-meter) and is produced using a differential global position system capable of producing sub-meter accuracy positioning, which shall be reviewed by the Department and must indicate that the fenced area is one hundred (100) acres to an accuracy level of plus or minus one (1) acre.

VII. FENCING

- A. Enclosure fences shall be constructed and maintained to ensure that foxes and hounds cannot escape or enter the enclosure. When deemed necessary, the Department may establish specific fencing requirements for preserves with a past history of wildlife ingress or egress issues.
- B. Permittees are encouraged to build fences at least six (6) feet high with an inward-facing metal overhang placed at a 45 degree angle along the top of the perimeter fencing. Electric wire and an underground metal apron should be placed at the bottom of the perimeter fencing. Whenever possible, large trees within ten (10) feet of the exterior of the fence should be removed or trimmed to prevent other wildlife (e.g. bears, raccoons, bobcats) from accessing the interior of the enclosure.
- C. All fence corners along the perimeter of the enclosure shall be rounded off or interior fencing shall be used to create dog-proof escape areas at non-rounded fence corners. Any fence corner in close proximity to a gate that cannot be rounded off without interfering with the operation of the gate is exempted from this requirement.

VIII. HABITAT AND ESCAPE AREAS

All preserves shall provide the necessary habitat to meet the food, water, and cover requirements of wild foxes. In addition to any available natural escape areas, man-made dog-proof escape structures shall be provided at a rate of one (1) per twenty (20) acres of enclosure and appropriately distributed throughout the preserve. Each escape structure must offer effective refuge from dogs and must be readily available to foxes at all times. When deemed necessary based on an inspection of the enclosure, additional natural habitat or man-made escape structures may be required by the Department.

IX. STOCKING, TRAPPING AND HOLDING

- A. Only wild, live-trapped red and gray fox may be released into foxhound training preserves. The importation or exportation of live foxes across state lines is prohibited. No captive-raised foxes may be released into training enclosures. The release of coyotes into foxhound training preserves is prohibited.
- B. Live foxes trapped in an area defined as the *Echinococcus multilocularis* zone may not be transported out this area due to concerns that this tapeworm may be spread to other portions of the state. Currently, this zone includes Clarke, Fairfax, Fauquier, Frederick, Loudoun, Prince William, and Warren Counties. See the link <https://dwr.virginia.gov/wildlife/diseases/information-for-dwr-permittees/> for updates on the delineation of this zone.
- C. Live-trapped wild foxes may be released only in foxhound training preserves that are open to the public for foxhound training purposes and operating under a valid permit issued by the Department of Wildlife Resources.

- D. In accordance with §29.1-525.2, the total number of foxes stocked annually in all preserves combined shall not exceed nine hundred (900). The Department shall determine the maximum number of foxes that may be stocked in each preserve based on the proportion of the permittee's preserve acreage in relation to the total acreage of all preserves. The Department shall make these determinations annually and will provide notice to each permit holder of the permitted allocation for that year at least thirty (30) days in advance of the fox trapping season. Permit holders may not stock foxes in excess of their maximum annual allocation. Allocations are specific to individual preserves and unused portions of an allocation may not be shared or transferred to any other preserve.
- E. A Department-issued stocking tag is required for each fox stocked in a preserve. Permittees will be provided with a supply of numbered tags that corresponds with the permit holder's annual fox allocation. Permit holders are not required to utilize all tags issued to them and unused tags are not transferable to any other preserve.
- F. A tag must be completely filled out by the operator (except for the delivery date) prior to transport for each fox being delivered to the preserve. The number listed on the top of the completed tag must be provided to the trapper prior to transport and must be in the possession of the trapper while the fox is being delivered to the preserve. If the preserve operator is picking up the fox from the trapper, the tag number (or copy of the completed tag) must be in the possession of the preserve operator during transport of the fox to the preserve.
- G. Upon receipt of the fox from the trapper, the preserve operator must record the delivery date on the tag, then (i) provide the trapper with a copy of the completed tag; (ii) retain a copy of the tag; and (iii) mail the final copy of the completed tag to the Department within seven working days. The permit holder and trapper must retain their copy of the tag for a period of two years following the end of the permit year. Each completed tag shall provide information that includes the species of fox, the name of the trapper, the county where the fox was trapped, the date the fox was trapped, and the date the fox was delivered to the preserve.
- H. It shall be lawful for any foxhound training preserve permittee, and no more than ten (10) licensed trappers designated in writing by the permittee and approved by the Department, to live-trap and transport red and gray foxes from September 1 through the last day in February, both dates inclusive (4 VAC 15-290-160 of the Virginia Administrative Code). Any person convicted of violating any provision of the hunting and trapping laws and regulations shall not be eligible to supply foxes to preserves for at least two (2) years and up to five (5) years following their most recent conviction. In determining the appropriate length of the restriction, the Director shall take into account the nature and severity of the most recent violation and any past violations of state or federal hunting and trapping laws and regulations.
- I. Foxes may only be live-trapped on private land with landowner permission or public lands designated by the Department. Fox trapping is prohibited in the counties of Clarke, Fauquier, Loudoun and Rappahannock. Traps used to live-capture foxes shall be identified with nonferrous metal tags bearing the name and address of the trapper or a permanent identification number issued by the Department. All other laws and regulations governing trapping shall also apply.
- J. All foxes live-trapped, held and transported for release, must be taken by legal means and kept in safe, sanitary and humane conditions with adequate water and food and with protection from the elements. Trappers are encouraged to utilize padded jaw traps or other modified traps to prevent injury to live-trapped foxes.
- K. Foxes may be retained by the permittee's designated trapper(s) for no more than seven (7) days following their capture and all foxes must be transported to the foxhound training preserve on or before the last day in February. Records shall be maintained by the trappers as to the length of time each fox is

retained in their possession. These records shall be kept up to date and retained until the end of the permit year and are subject to inspection by VDWR personnel at any time.

- L. Foxhound training preserves may place foxes received from trappers into holding enclosures at the training preserve for a period not to exceed seven (7) days with the understanding that all foxes must be released into an acclimation enclosure or training preserve enclosure on or before March 7th annually. Holding enclosures shall provide a minimum of nine (9) square feet for each fox and shall be tall enough for each animal to easily stand or sit. Outdoor holding enclosures shall provide sufficient shade from direct sunlight and provide shelter to remain dry from rain or snow, Provisions shall be made for proper sanitation, including adequate ventilation, removal of animal waste, and removal of unused food items that are no longer suitable for consumption.
- M. Under no circumstances shall foxes be live trapped and/or relocated from one preserve to another permittee's preserve. However, foxes may be transported from an acclimation training enclosure to a training enclosure of the same permittee. A foxhound training preserve may not serve as a holding facility for another permittee's preserve.
- N. Nothing in this permit is intended to authorize the buying or selling of live wild animals. Live, wild foxes trapped, held, transported, and released into foxhound training preserves remain the property of the Commonwealth (29.1-557 of the Code of Virginia). Trappers may be reimbursed for their time and expenses, but the sale of foxes or payment on a per fox basis is prohibited.

X. ACCLIMATION

- A. Foxes released into preserves shall be provided a minimum of seven (7) days prior to any dog training or field trial event to acclimate to their new surroundings and become familiar with available food and habitat resources. No training shall occur for seven (7) days after any fox is released into the enclosure. Any dog training after seven (7) days and up to fourteen (14) days after a fox is released into an enclosure shall not exceed one (1) dog per ten (10) acres.
- B. In preserves with frequent or year-round dog training, foxes may be held in an acclimation enclosure prior to release into the training preserve. No fox may be held in an acclimation enclosure more than sixty (60) days. Acclimation enclosures shall be at least 0.25 acres in size and fox densities shall not exceed twenty (20) per acre. Artificial dens shall be provided to minimize stress. Foxes should be held in acclimation enclosures for at least seven (7) days and allowed unrestricted dog-proof access back into the acclimation enclosure for a period of not less than fourteen (14) days following release into the primary enclosure. Dog training restrictions described in Part X.A shall also apply to foxes released into training preserves from acclimation enclosures.
- C. Acclimation enclosures must be contained within or share a common fence with the primary training enclosure. The acreage of the acclimation enclosure shall be included as part of the overall size of the foxhound training preserve, but may not exceed ten (10) percent of the total preserve acreage. No dog training may occur within the boundaries of the acclimation enclosure.

XI. HOUND DENSITY AND FIELD TRIAL MANAGEMENT

- A. The number of hounds training or participating in field trials shall not exceed one (1) dog per two (2) acres of preserve at any one time. When deemed necessary, more restrictive hound densities may be required based on available escape cover and past history of hound-related mortality events.
- B. Training or field trials with foxhound densities exceeding one (1) dog per ten (10) acres of preserve shall not be permitted for two (2) days prior to and two (2) days after any field trial event. Hound densities exceeding one (1) dog per ten (10) acres shall also be limited to a maximum of five (5) days per week.
- C. No field trial event shall provide for a cash or monetary prize to the participants. For the purposes of

this permit, “monetary prize” is defined as cash, check, money order, or gift card.

XII. BEAR MANAGEMENT

- A. The permittee is required to notify the Department of any bear in a foxhound training preserve within **t w e n t y f o u r (24)** hours of discovering evidence of a bear’s presence (e.g. sighting, scat, tracks). Notification should be made to the Law Enforcement Dispatch Center at 1-800-237-5712 (open seven (7) days a week, twenty four (24) hours per day).
- B. Upon receiving notification from the Dispatch Center of a bear in a foxhound training preserve, Department staff will contact the facility’s manager within forty eight (48) hours to investigate the situation, schedule a site visit (if necessary), and initiate actions to resolve the issue. Examples of actions that might be necessary to get the bear out of the preserve (or otherwise resolve the issue) include, but are not limited to, modification of feeding practices, temporarily turning off electricity on interior fencing, temporarily opening gates (or providing an opening in the fence that allows the bear free egress), or trapping and removal of the bear by Department staff.
- C. Dog training will be suspended during periods when bear traps are set within the preserve. Department staff may also suspend dog training activities if they interfere with other methods actively being used to remove a bear from the enclosure.
- D. Permittees conducting sanctioned field trial events with more than one hundred (100) registered dogs will be required to inspect their preserve within seven (7) days of the event to ensure that no bears are inside the enclosure. If a bear is reported inside within seven (7) days prior to, or during the sanctioned field trial, the event will be allowed to continue as long as the permittee has performed the required inspection. If a bear is treed during the field trial, the permittee is required to have a person remain within sight of the treed bear and attempt to keep the bear in the tree until the field trial is over and all the dogs are removed from the enclosure.
- E. After the bear is removed or allowed free egress from the training preserve, Department staff, with input received from the permittee, will develop written recommendations for reducing the likelihood of a bear reentering the preserve in the future. These recommendations may include, but are not limited to, modifications of feeding operations, habitat, and/or fencing.
- F. After being provided with written recommendations from the Department, the permittee will have six (6) months to implement the necessary changes. If the recommendations are not followed and another bear enters the preserve after the end of the allowed period, the permit will be suspended until the recommendations have been implemented. Department staff will work with the permittee to remove the bear from the preserve or allow it free egress (as in Section B above). A permit will not be suspended for bear problems experienced during the period allowed for implementing corrective actions, or those that occur more than five (5) years apart.
- G. If all recommendations are followed and another bear enters the foxhound training preserve, the permit will not be suspended and Department staff will help resolve the issue. New recommendations might be developed by the Department for preventing future problems. If additional recommendations are provided, the permittee will be allowed an additional six (6) month period to implement necessary changes.

XIII. COMPLIANCE/VIOLATION/REVOCATION

- A. 4 VAC 15-290-130 of the Virginia Administrative Code requires that a permit holder shall comply with all terms and conditions of any permit issued by the Department of Wildlife Resources pursuant to Title 29.1 of the Code of Virginia and the regulations of the board pertaining to hunting, fishing, trapping, attempting to take, possession, sale, offering for sale, transporting or causing to be transported, importing or exporting, propagating, exhibiting, and rehabilitating of any wild bird, wild animal or fish. The penalty for violation of this section is a Class 3 misdemeanor unless another

penalty is specified. Further, any violation of state or federal wildlife laws related to the permitted activities by the permittee, his/her agents or employees, or guests will constitute a violation of the conditions of the permit.

- B. As provided by 4 VAC 15-30-5 of the Virginia Administrative Code, failure to comply with the provisions of a permit may result in the revocation or suspension of the permit for a period up to but not to exceed five (5) years. Any person whose permit is revoked, or suspended may appeal that decision in writing, to the Executive Director, Virginia Department of Wildlife Resources, P. O. Box 3337, Henrico, VA 23228.
- C. The Department shall not deny a permit to an existing location solely due to recordkeeping failures or other technical violations of the regulations governing foxhound training preserves. "Recordkeeping failure" does not include a deceptive practice or, a deliberate, intentional, or willful failure to perform recordkeeping, in whole or in part. "Technical violation" means a violation of these regulations that is minor or unintended.
- D. If a permit is revoked or not renewed for any reason, the Department reserves the right to depopulate the facility or require the permittee to provide the means for foxes to disperse naturally from the preserve within thirty (30) days of the revocation or failure to renew.



