

AGENDA

Board of Wildlife Resources
Wildlife and Boat Committee
7870 Villa Park Drive
Henrico, Virginia 23228

March 19, 2025
9:00 am

Committee Members: Mr. James Edmunds, Chair, Mr. Woody Woodall, Ms. Laura Walters, Mr. Will Wampler (Alternate), Mr. Brian Vincent (Alternate)

DWR Staff Liaisons: Mr. Michael Lipford, Dr. Mike Bednarski, Ms. Stacey Brown, and Ms. Amy Martin

1. Call to Order and Welcome
Mr. Edmunds
2. Approval of the January 22, 2025, Committee Meeting Minutes **Final Action**
Mr. Edmunds
3. Public Comment – Non - Agenda Item
Mr. Edmunds
4. Proposals Regarding Migratory Game Birds Seasons and Bag Limits **Final Action**
Mr. Ben Lewis
5. Wildlife Regulation Amendments - Staff Recommendations **Action**
Mr. Cale Godfrey
6. Boating and Administrative Regulation Amendments – Staff **Action**
Ms. Stacey Brown
7. Biennial Review of Approved Sanctioning Organizations for
Foxhound Field Trials **Final Action**
Mr. Paul Kugelman

8. Wildlife Division Update
Mr. Michael Lipford
9. Aquatics Division Update
Dr. Mike Bednarski
10. Nongame Program Update
Ms. Amy Martin
11. Boating Division Update
Ms. Stacey Brown
12. Director's Report
Mr. Ryan Brown
13. Chair's Report
Mr. Edmunds
14. Next Meeting Date: Wednesday, May 21, 2025
Mr. Edmunds
15. Additional Business/Comments
Mr. Edmunds
16. Adjournment
Mr. Edmunds

Draft Meeting Minutes
Wildlife and Boat Committee
Board of Wildlife Resources
7870 Villa Park Drive – Board Room
Henrico, VA 23228

January 22, 2025
10:00 am

Present: Mr. James Edmunds, **Chair**, Ms. Laura Walters, Mr. Will Wampler (alternate),
Absent: Mr. Woody Woodall, Mr. Brian Vincent; **Board Members** in attendance: Mr. Jon Cooper, Mr. Lynwood Broaddus, and Mr. Michael Formica; **Executive Director:** Mr. Ryan Brown; **Deputy Directors:** Ms. Becky Gwynn and Mr. Darin Moore; **Director’s Working Group:** Dr. Mike Bednarski, Ms. Stacey Brown, Mr. George Braxton, Mr. Michael Lipford, Ms. Shelby Crouch, Mr. Bob Smet.

The Committee Chair called the meeting to order at 10:00 am and welcomed everyone. The Chair noted for the record that a Quorum was present for today’s meeting.

Approval of the October 23, 2024, Committee Meeting Minutes:

The Chair called for a motion to approve the October 23, 2024, Wildlife and Boating minutes. Ms. Walters made a motion to approve the minutes of the October 2024, committee meeting. Mr. Wampler seconded the motion. Ayes: Edmunds, Walters, Wampler

Public Comment - Non-Agenda Item: The Chair called for Public Comment – Non-Agenda Items. Hearing none, he continued on with the meeting.

Proposals regarding Migratory Game Birds Seasons and Bag Limits: The Chair called on Mr. Ben Lewis for a presentation.

Mr. Ben Lewis gave a presentation on the Proposals regarding Migratory Game Birds Seasons and Bag Limits.

After comments and questions, The Chair thanked Mr. Lewis for his presentation.

The Chair called for a motion, Mr. Edmunds made a motion, I move that the Wildlife and Boat Committee of Wildlife Resources approve the preliminary 2025-2026 Migratory Game Bird Season and Bag Limit recommendations as presented by staff, for consideration by the full Board on January 23, 2025 meeting. It was seconded by Ms. Walters. Ayes: Edmunds, Walters, Wampler

Mr. Wampler made a motion to work with Ben Lewis and Michael Lipford, DWR’s liaison to the Atlantic Flyway Council, to split the Canada Goose hunting dates 3 ways rather than 2 ways

and to recommend to the full Board for approval. It was seconded by Mr. Edmunds and Ms. Walters. Ayes: Edmunds, Walters, Wampler

Public Scoping Overview of Wildlife Regulations: Mr. Edmunds called on Mr. Cale Godfrey for a presentation.

Mr. Godfrey gave a presentation on the Public Scoping Overview of Wildlife Regulations.

After comments and questions, The Chair thanked Mr. Godfrey for his presentation.

- Mr. Gary Kimberlin spoke regarding public scoping period (virtual)
- Mr. Sean Clarkson spoke regarding public scoping period and regulation changes (virtual)
- Mr. Steve Knicely spoke regarding public scoping period on Bears (virtual)

Smallmouth Bass Management Plans: Mr. Edmunds called on Mr. Jason Hallacher and Ms. Kristen Chestnut-Faull for a presentation.

Mr. Hallacher and Ms. Chestnut-Faulls gave a presentation on the Smallmouth Bass Management Plan explaining the objectives and next steps.

After comments and questions, The Chair thanked Mr. Hallacher and Ms. Chestnut-Faull for their presentation.

Wildlife Division Update: The Chair called on Mr. Michael Lipford for his Wildlife Division update.

Mr. Lipford reported:

- DWR Bear Mangle Task Update
- Wildlife Conflict
- Preliminary Harvest Figures
- Turkey Management Plan
- Overview of Migratory Game Bird Seasons and Bag Limits

After comments and questions, The Chair thanked Mr. Lipford for his update.

Fish Division Update: The Chair called on Dr. Mike Bednarski for a Fish Division Update.

Dr. Bednarski reported:

- Seeking public comment on smallmouth bass Management Plan
- Working on a revision of stocked Trout Plan- will be sending a survey to anglers
- In peak season for muskellunge – benefit to local communities, as we estimate out of state anglers spend several hundred dollars on gas, hotel, food

After comments and questions, The Chair thanked Dr. Bednarski for his update.

Nongame Program Update: The Chair called on Ms. Amy Martin for a Nongame Program Update.

Ms. Martin reported:

- Ruth Boettcher, our Coastal Resources Biologist, won the “outstanding partner and contributor” award from the International American Oystercatcher Working Group. Ruth was also chosen to represent the Atlantic Flyway Council at the Waterbird Society Pacific Seabird Group Joint Meeting in Costa Rica, where she spent last week. The Council paid for all of Ruth’s expenses.
- The Marine Mammal Conservation Plan is currently undergoing internal review. Once we have it in final form, we will then send it out for external review by the administration and others.
- Next month we will begin our first piping plover habitat enhancement project with our partners at TNC and the USFWS. .
- The USFWS has proposed to list the eastern hellbender, found in the streams and rivers in western Virginia, as endangered
- During recent surveys at Big Woods WMA, our Herpetologist located Dwarf waterdogs. The finding of this salamander represents the 36th species of amphibian known from the WMA.
- Recent surveys for Henslow’s sparrow, a Tier 1a SGCN in the 2015 WAP, have documented new breeding territories on a site in Fauquier County.
- The second Breeding Bird Atlas, a cooperative project with the Virginia Society of Ornithology, is wrapping up. The Final Products Committee team plans to make the Atlas results available online by the end of this calendar year.
- Our nongame fishes team of Mike and Maddie recently collected federal endangered Candy Darters from Cripple Creek in Wythe County. These collected animals will be used as broodstock, allowing us to expand the population further upstream in support of the species’ recovery.

After comments and questions, the Chair thanked Ms. Martin for her Update.

Boating Division Update: The Chair called on Ms. Stacey Brown for a Boating Division Update.

Ms. Brown reported:

- We finished up the year with 90 boating incidents and 16 fatalities. While this is higher than the number of incidents and fatalities last year, last year was a record low and this year's numbers are more aligned with our average.
- We have a new staff member who has joined us as the Region 1 Boating Safety Education coordinator, Donald Shahan. Donald recently retired from the Coast Guard where he most recently was stationed at the Yorktown training center. Mr. Shahan also has a 100 Ton captain's license, which are impressive credentials and will allow us to provide some innovative trainings and outreach opportunities. We are pleased to welcome him aboard!
- We have been evaluating our boating regulations and will be doing some off-cycle proposals for boating regulations during this year. These will be presented at our March Committee meeting for consideration. We are also tracking some legislation at the General Assembly related to boat registrations and customer service functions.
- We have completed our annual performance report to the U.S. Coast Guard and are currently working on our annual certificate of number report. This report outlines the number of registered boats by vessel type, size, and use.
- We are continuing to develop our strategies and tactics for the Division for the next two years to ensure the Division provides the best service to the boating public and moving the agency's mission of conserving, connecting, and protecting forward, including the digital form of the dockside checklist for rental boats and the development of waterway marker maps for the boating public.

After comments and questions, The Chair thanked Ms. Brown for her Update.

Director's Report: The Chair called on Director Ryan Brown for his report.

- The General Assembly is in session, and he is busy attending meetings
- The December 31, 2024, report – Prioritize enforcement of prohibition against hunting outside of open season is being worked on and will be to the Board soon.

Chair's Report: The Chair appreciates and thanked staff for all their hard work for the agency and to make these committee meetings informative.

The Chair reported the next meeting will be Wednesday, March 19, 2025, and asked for any additional business or comments. The Chair adjourned the meeting at 12:10 pm.

Respectfully submitted,
Frances Boswell
/s/

VIRGINIA DEPARTMENT OF WILDLIFE RESOURCES

2025-26 MIGRATORY GAME BIRD HUNTING SEASONS – FEDERAL FRAMEWORKS AND STAFF RECOMMENDATIONS



Prepared by Wildlife Division
January 2025

DOVE

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1, 2025 - January 31, 2026
Hunting dates may run consecutively or be split into no more than three (3) segments.

SEASON LENGTH: Not more than 90 days.

BAG LIMIT: 15 daily and 45 in possession. Daily bag limit can be composed of mourning doves and white-winged doves, singly or in combination

SHOOTING HOURS: Between ½ hour before sunrise and sunset daily (State may select ½ day shooting in any segment).

STAFF RECOMMENDATION

<u>SEASON DATES:</u>	September 1 - October 19	(49 days)
	November 22 - November 30	(9 days)
	December 19 - January 19	(32 days)

<u>SHOOTING HOURS:</u>	September 1	Noon until sunset
	September 2 – October 19	½ hr before sunrise to sunset.
	November 22 – November 30	½ hr before sunrise to sunset.
	December 19 - January 19	½ hr before sunrise to sunset.

BAG LIMIT: 15 daily and 45 in possession. Composed of mourning doves and white-winged doves, singly or in combination

RAILS (Clapper, King, Sora, Virginia) & Gallinules (Common, Purple)

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1, 2025 - January 31, 2026

SEASON LENGTH: 70 days, straight or 2 segments.

DAILY BAG LIMIT: Clapper/King - 15, in aggregate.
Sora/Virginia - 25, in aggregate.
Gallinules - 15, in aggregate.

SHOOTING HOURS: ½ hour before sunrise until sunset daily

STAFF RECOMMENDATION

SEASON DATES: September 6 – October 25 (50 days)
November 11 – November 30 (20 days)

DAILY BAG LIMIT: Clapper/King: 15 - in aggregate, only 1 can be a King Rail.
Sora/Virginia: 25 - in aggregate.
Gallinules: 15 - in aggregate.

SHOOTING HOURS: ½ hour before sunrise until sunset

NOTES: - This recommendation provides 30 days of 3-ft or greater lunar tides.
- Non-Toxic shot is required for Rail, Snipe and Gallinule hunting in Virginia.

WOODCOCK

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 13, 2025 - January 31, 2026

SEASON LENGTH: 45 days, straight or 2 segments.

BAG LIMIT: 3 daily, 9 in possession.

SHOOTING HOURS: ½ hour before sunrise until sunset daily.

STAFF RECOMMENDATION

SEASON DATES: November 11 – November 30 (20 days)
December 26 – January 19 (25 days)

BAG LIMIT: 3 daily, 9 in possession

SHOOTING HOURS: ½ hour before sunrise until sunset

SNIPE

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1, 2025 - January 31, 2026

SEASON LENGTH: 107 days, straight or 2 segments

BAG LIMIT: 8 daily, 24 possession

SHOOTING HOURS: ½ hour before sunrise until sunset

STAFF RECOMMENDATION

SEASON DATES: September 29 – November 30 (63 days)
December 19 – January 31 (44 days)

BAG LIMIT: 8 daily, 24 in possession

SHOOTING HOURS: ½ hour before sunrise until sunset

SEPTEMBER TEAL SEASON

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1 – September 30, 2025

SEASON LENGTH: Up to 9 days

BAG LIMIT: 6 daily, 18 in possession (Blue-winged and Green-winged teal only)

SHOOTING HOURS: ½ hour before sunrise to sunset

STAFF RECOMMENDATION

SEASON DATES: September 20 – September 28
HUNT AREA: East of I – 95

September 23 – September 28
HUNT AREA: West of I – 95

BAG LIMIT: 6 daily, 18 in possession (Blue-winged and Green-winged teal only).

SHOOTING HOURS: ½ hour before sunrise to sunset

DUCKS

FEDERAL FRAMEWORK

Outside Dates: September 27, 2025 - January 31, 2026

Season Length: 60 hunting days; plus 2 Youth/Veterans Waterfowl Hunt Days.

Bag Limits: **Daily Bag limit of 6 ducks, with the following restrictions:**
Can include no more than 4 mallards (only 2 hens), 3 wood ducks, 2 black ducks, 2 canvasbacks, scaup: 1/day for 40 days and 2/day for 20 days, 2 redheads, **3 pintails**, 1 mottled duck, 1 fulvous whistling duck, 4 total sea ducks (no more than 3 scoters, 3 eider (only 1 hen), 3 long-tailed ducks). Closed season on harlequin duck. Possession limit is three times the daily bag limit.

Split Season Options: 3-way split season, no zones

Shooting Hours: 1/2-hour before sunrise until sunset daily

STAFF RECOMMENDATIONS

Season Length: 60 hunting days; plus 2 Youth/Veterans Waterfowl Hunting Day

Season Dates: October 10 - 13 (Black Duck closed)
November 19 – November 30
December 19 – January 31
October 25, February 7 – Youth/Veterans Waterfowl Days

Bag Limit: **Daily Bag limit of 6 ducks, with the following restrictions:** can include no more than 4 mallards (only 2 hens), 3 wood ducks, 2 black ducks (except closed Oct. 11–14), 2 redheads, 2 canvasbacks, **3 pintails**, 1 mottled duck, 1 fulvous whistling duck, scaup: 1/day from October 10-13, November 19-November 30, December 19 - January 11, and 2/day from January 12-31. Sea Ducks: 4 total sea ducks to include no more than 3 scoters, 3 eiders (only 1 hen), 3 long-tailed ducks. Closed season on harlequin ducks. The possession limit is three times the daily bag limit.

Shooting Hours: 1/2-hour before sunrise until sunset daily

MERGANSER AND COOT

MERGANSER

FEDERAL FRAMEWORK

Option A

Season Length: 60 hunting days.
Outside Date: September 27, 2025 - January 31, 2026.
Bag Limit: 5 birds daily.
15 in possession.

Option B

To be included into the general duck bag. If included in the general duck bag, the restriction on 2 hooded mergansers would apply.

STAFF RECOMMENDATIONS

Option A

Season Dates: To coincide with general duck season
Bag Limit: 5 birds daily, 15 in possession.

AMERICAN COOT

FEDERAL FRAMEWORK

Season Length: 60 hunting days
Outside Date: September 27, 2025 - January 31, 2026
Bag Limit: 15 birds daily (45 in possession)

STAFF RECOMMENDATIONS

Season Dates: To coincide with general duck season.
Bag Limit: 15 daily (45 in possession)

SEPTEMBER CANADA GOOSE

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1 – September 25, 2025

BAG LIMIT: 15 daily, 45 in possession

SHOOTING HOURS: ½ hour before sunrise to sunset (except as provided for in special hunting options *)

* SPECIAL HUNTING OPTIONS: Allows the use of electronic calls, unplugged shotguns and extended shooting hours (1/2 hr after sunset) when **no other** waterfowl seasons are open.

STAFF RECOMMENDATION

SEASON DATES: September 1 – September 25 (25 days)

BAG LIMIT: 10 daily, 30 in possession

HUNT AREA: Statewide

SHOOTING HOURS:

East of I-95

September 1 – 19: ½ hr before sunrise to ½ hr after sunset.

September 20 – 25: ½ hr before sunrise to sunset.

West of I-95

September 1 – 22: ½ hr before sunrise to ½ hr after sunset.

September 23 - 25: ½ hr before sunrise to sunset.

NOTE: Staff is not recommending the options of using electronic calls or unplugged shotguns for hunting geese in the September season.

CANADA GOOSE

FEDERAL FRAMEWORKS

ATLANTIC POPULATION ZONE (AP):

Outside Dates: November 15, 2025 – February 5, 2026
Season Length: 30 hunting days
Bag Limit: 1 bird daily (3 in possession)

RESIDENT POPULATION ZONE (RP):

Outside Dates: November 15, 2025 – March 10, 2026
Season Length: 80 hunting days
Bag Limit: 5 birds daily (15 in possession)

NOTE – All seasons also include White-fronted geese along with Canada geese.

STAFF RECOMMENDATIONS

ATLANTIC POPULATION ZONE: (AP)

Season Dates: December 24 – December 31 (8 days)
January 10 – January 31 (22 days)
Bag Limit: 1 bird daily (3 in possession)
Shooting Hours: 1/2-hour before sunrise until sunset daily

RESIDENT POPULATION ZONE: (RP)

Season Dates: November 19 – November 30 (12 days)
December 19 - February 22 (66 days)
Bag Limit: 5 geese daily (15 in possession)
Shooting Hours: 1/2-hour before sunrise until sunset daily

NOTE – All seasons also include White-fronted geese along with Canada geese.

LIGHT GOOSE SEASONS

REGULAR LIGHT GOOSE SEASON

FEDERAL FRAMEWORK

<u>Season Length:</u>	107 hunting days
<u>Outside Dates:</u>	October 1, 2025 - March 10, 2026
<u>Split Season Option:</u>	3-way split season
<u>Bag Limit:</u>	25 birds daily (no possession limit)

STAFF RECOMMENDATIONS

<u>Season Dates:</u>	October 17 – January 31	(107 days)
<u>Bag Limit:</u>	25 birds daily (no possession limit)	

LIGHT GOOSE CONSERVATION ORDER

FEDERAL FRAMEWORK

Outside Dates:

When no other waterfowl seasons are open

Bag Limit:

No daily or possession limit

Special Hunting Methods:

Electronic calls, unplugged shotguns and extended shooting hours to one-half hour after sunset **only in areas and at times when other waterfowl seasons are closed.**

Special Requirements:

States participating in the Conservation Order are required to monitor hunter participation, effort, and success.

STAFF RECOMMENDATION

Conservation Order Zone: The same as the new AP Canada Goose Zone - The area to the east of the following line: the “Blue Ridge” (Loudoun County-Clarke County border) at the West Virginia-Virginia Border, south to Interstate 64 (the Blue Ridge line follows county borders along the western edge of Loudoun-Fauquier-Rappahannock-Madison-Greene-Albemarle and into Nelson Counties), then east along Interstate Rt. 64 to Interstate 95 in Richmond, then south along I-95 to Route 460 in Petersburg, then southeast along Route 460 to Route 32 in the City of Suffolk, then south to the North Carolina border.

Season Dates:

February 1, 2026 – April 5, 2026

Bag Limit:

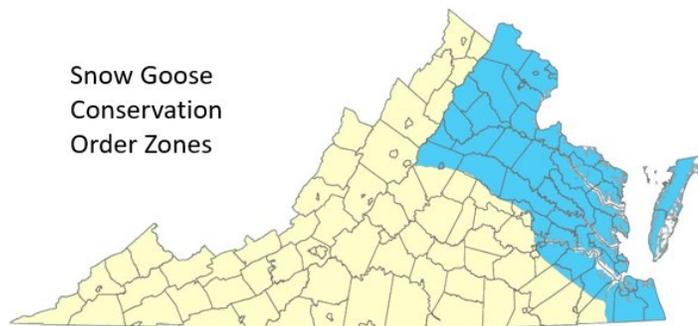
No daily or possession limit

Special Hunting Methods:

Electronic calls, unplugged shotguns and extended shooting hours to one-half hour after sunset.

Special Requirements:

Hunters participating in the Conservation Order **must register with DWR**, keep a record of their harvest and participation, and return a harvest report form within two weeks following the close of the season.



ATLANTIC BRANT

FEDERAL FRAMEWORK

Season Length: 30 hunting days

Outside Dates: September 23, 2025 - January 31, 2026

Split Season Option: 2-way split season

Bag Limit: 1 bird daily (3 in possession)

STAFF RECOMMENDATIONS

Season Dates: December 24 – December 31 (8 days)
January 10 – January 31 (22 days)

Bag Limit: 1 bird daily (3 in possession)

TUNDRA SWAN

FEDERAL FRAMEWORK

Season Length: 90 hunting days

Outside Dates: October 1, 2025 - January 31, 2026

Virginia may issue up to 475 permits and must obtain harvest and hunter participation data. Each permittee is authorized to take one (1) tundra swan per season.

Bag Limit: One per permittee per season

STAFF RECOMMENDATIONS

Season Dates: November 15 - January 31

Bag Limit: One per permittee per season

Hunt Area: All counties and portions of counties east of U.S. Route I- 95 and south of the Prince William/Stafford county line in Chopawamsic Creek at Quantico Marine Corps Base.

NOTE: VDWR will issue no more than 475 swan-hunting permits to holders of a valid Virginia hunting license. Only hunters with a valid 2025-2026 tundra swan-hunting permit issued by VDWR shall be authorized to hunt tundra swans. Each permittee will be authorized to take one tundra swan during the season. Swan hunting permits are non-transferable and are valid for use only by the person to whom issued. Permits must be in the immediate possession of the permittee while swan hunting. Immediately at the time and place of kill, successful hunters must permanently record the month and day of kill on their permit and attach it to their swan. The VDWR is required to obtain hunter participation and harvest information to offer this Tundra Swan hunting season. **Hunters are required to complete the tundra swan hunt questionnaire (survey) and submit their results to the Department by February 15, 2026.** Those who fail to submit their results are ineligible for future drawings.

FALCONRY

FEDERAL FRAMEWORK

<u>Season Length:</u>	No more than 107 on any species (Gun and Falconry combined)
<u>Outside Dates:</u>	September 1 - March 10
<u>Bag Limit:</u>	3 daily (9 in possession)
<u>Hawking Hours:</u>	½ hour before sunrise until sunset.

STAFF RECOMMENDATIONS

<u>Dove:</u>	September 1 – October 19 November 22 – November 30 December 19 – January 31
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<u>Rail, Gallinule, Moorhen:</u>	September 6 – December 21
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<u>Woodcock:</u>	October 17 – January 31
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<u>Snipe:</u>	October 1 – December 2 December 19 – January 31
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<u>Canada Goose:</u>	September 1 - September 25 November 19 – November 30 December 19 - February 22
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<u>September Teal:</u>	September 16 - September 30
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<u>Ducks, Mergansers, Coot:</u>	October 10 - 13 November 19 – February 8
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<u>Brant and Snow Goose:</u>	October 17 – January 31
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NOTE: Recommended dates based on adoption of preceding gun season proposals; if amended, staff requests permission to calculate permissible dates for each species within the allowable federal framework.

VIRGINIA DEPARTMENT OF WILDLIFE RESOURCES



PRELIMINARY REGULATION RECOMMENDATIONS

March 2025

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Deer & Elk Regulations

4VAC15-90-10

Game: Deer: Open season; generally.

Summary:

The recommendation is to (i) establish a 4-week general firearms deer season on private lands in all or portions of 20 counties west of the Blue Ridge Mountains; (ii) establish a 7-week firearms season on private lands in western Amherst, Bedford, Carroll, Floyd, Franklin, Montgomery, western Nelson, Page, Pulaski, Roanoke, Rockingham (east of routes 613 and 731), Shenandoah, Warren, and Wythe counties; (iii) implement early and late antlerless only firearms seasons in the counties of Greene, Hanover, Henrico, and James City; and (iv) make descriptions for public and private land seasons in Carroll and Roanoke counties consistent with other counties.

Recommended language of the amendment:

4VAC15-90-10. Open season; generally.

A. It shall be lawful to hunt deer in the following localities, including the cities and towns therein, during the following seasons, all dates inclusive.

Locality	Season
Accomack County	Saturday prior to the third Monday in November through the first Saturday in January
Albemarle County	Saturday prior to the third Monday in November through the first Saturday in January
<u>Alleghany County (except on national forest lands)</u>	<u>Saturday prior to the third Monday in November and for 28 consecutive days following</u>
Alleghany County <u>(national forest lands)</u>	Saturday prior to the third Monday in November and for 14 consecutive days following
Amelia County	Saturday prior to the third Monday in November through the first Saturday in January
Amherst County (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River, except on national forest lands)	Saturday prior to the third Monday in November and for 28 consecutive days following

Amherst County (national forest lands)	Saturday prior to the third Monday in November and for 14 consecutive days following
Amherst County (east of Business U.S. 29, as defined above <u>except on national forest</u>)	Saturday prior to the third Monday in November through the first Saturday in January
Appomattox County	Saturday prior to the third Monday in November through the first Saturday in January
Arlington County	Saturday prior to the third Monday in November through the first Saturday in January
Arlington County (antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
<u>Augusta County (except on national forest and department-owned lands)</u>	<u>Saturday prior to the third Monday in November and for 28 consecutive days following</u>
Augusta County (<u>national forest and department-owned lands</u>)	Saturday prior to the third Monday in November and for 14 consecutive days following
<u>Bath County (except on national forest and department-owned lands)</u>	<u>Saturday prior to the third Monday in November and for 28 consecutive days following</u>
Bath County (<u>national forest and department-owned lands</u>)	Saturday prior to the third Monday in November and for 14 consecutive days following
Bedford County (except on national forest lands)	Saturday prior to the third Monday in November and for 28 consecutive days following <u>through the first Saturday in January</u>

Bedford County (national forest lands)	Saturday prior to the third Monday in November and for 14 consecutive days following
Bedford County (private lands and antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through January 31
<u>Bland County (except on national forest lands)</u>	<u>Saturday prior to the third Monday in November and for 28 consecutive days following</u>
Bland County (<u>national forest lands</u>)	Saturday prior to the third Monday in November and for 14 consecutive days following
<u>Botetourt County (except on national forest and department-owned lands)</u>	<u>Saturday prior to the third Monday in November and for 28 consecutive days following</u>
Botetourt County (<u>national forest and department-owned lands</u>)	Saturday prior to the third Monday in November and for 14 consecutive days following
Brunswick County	Saturday prior to the third Monday in November through the first Saturday in January
Buchanan County	Saturday prior to the third Monday in November and for 14 <u>28</u> consecutive days following
Buckingham County	Saturday prior to the third Monday in November through the first Saturday in January
Campbell County	Saturday prior to the third Monday in November through the first Saturday in January
Caroline County	Saturday prior to the third Monday in November through the first Saturday in January

Carroll County (~~private lands~~ except on national forest and department-owned lands)

Saturday prior to the third Monday in November ~~and for 28 consecutive days following~~ through the first Saturday in January

Carroll County (~~public lands~~ national forest and department-owned lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Carroll County (private lands and antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

Charles City County

Saturday prior to the third Monday in November through the first Saturday in January

Charlotte County

Saturday prior to the third Monday in November through the first Saturday in January

Chesapeake (City of)

October 1 through November 30

Chesterfield County

Saturday prior to the third Monday in November through the first Saturday in January

Clarke County

Saturday prior to the third Monday in November through the first Saturday in January

Clarke County (antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

Craig County (except on national forest and department-owned lands)

Saturday prior to the third Monday in November and for 28 consecutive days following

Craig County (national forest and department-owned lands)	Saturday prior to the third Monday in November and for 14 consecutive days following
Culpeper County (except Chester F. Phelps Wildlife Management Area)	Saturday prior to the third Monday in November through the first Saturday in January
Culpeper County (Chester F. Phelps Wildlife Management Area)	Saturday prior to the third Monday in November and for 14 consecutive days following
Culpeper County (private lands and antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
Cumberland County	Saturday prior to the third Monday in November through the first Saturday in January
Dickenson County (except on federal lands)	Saturday prior to the third Monday in November and for 28 consecutive days following
Dickenson County (federal lands)	Saturday prior to the third Monday in November and for 14 consecutive days following
Dinwiddie County	Saturday prior to the third Monday in November through the first Saturday in January
Essex County	Saturday prior to the third Monday in November through the first Saturday in January
Fairfax County	Saturday prior to the third Monday in November through the first Saturday in January

Fairfax County (antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
Fauquier County (except Chester F. Phelps Wildlife Management Area)	Saturday prior to the third Monday in November through the first Saturday in January
Fauquier County (Chester F. Phelps Wildlife Management Area)	Saturday prior to the third Monday in November and for 14 consecutive days following
Fauquier County (private lands and antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
Floyd County	Saturday prior to the third Monday in November and for 28 consecutive days following through the first Saturday in January
Floyd County (antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
Fluvanna County	Saturday prior to the third Monday in November through the first Saturday in January
Franklin County (<u>federal and department-owned lands</u>)	Saturday prior to the third Monday in November and for 28 consecutive days following

Franklin County (except on federal and department-owned lands)

Frederick County (non-national forest lands)

Frederick County (national forest lands)

Frederick County (non-national-forest lands antlerless deer only)

Giles County (except on national forest lands)

Giles County (national forest lands)

Gloucester County

Goochland County

Grayson County (except on national forest lands and Grayson Highlands State Park)

Grayson County (national forest lands and Grayson Highlands State Park)

Greene County

Saturday prior to the third Monday in November through the first Saturday in January

Saturday prior to the third Monday in November through the first Saturday in January

Saturday prior to the third Monday in November and for 14 consecutive days following

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

Saturday prior to the third Monday in November and for 28 consecutive days following

Saturday prior to the third Monday in November and for 14 consecutive days following

Saturday prior to the third Monday in November through the first Saturday in January

Saturday prior to the third Monday in November through the first Saturday in January

Saturday prior to the third Monday in November and for 28 consecutive days following

Saturday prior to the third Monday in November and for 14 consecutive days following

Saturday prior to the third Monday in November through the first Saturday in January

Greene County (private lands and antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

Greenville County

Saturday prior to the third Monday in November through the first Saturday in January

Halifax County

Saturday prior to the third Monday in November through the first Saturday in January

Hanover County

Saturday prior to the third Monday in November through the first Saturday in January

Hanover County (private lands and antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

Henrico County

Saturday prior to the third Monday in November through the first Saturday in January

Henrico County (private lands and antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

Henry County

Saturday prior to the third Monday in November and for 28 consecutive days following

Highland County (except on national forest and department-owned lands)

Saturday prior to the third Monday in November and for 28 consecutive days following

Highland County (national forest and department-owned lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Isle of Wight County	Saturday prior to the third Monday in November through the first Saturday in January
James City County	Saturday prior to the third Monday in November through the first Saturday in January
<u>James City County (private lands and antlerless deer only)</u>	<u>First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March</u>
King and Queen County	Saturday prior to the third Monday in November through the first Saturday in January
King George County	Saturday prior to the third Monday in November through the first Saturday in January
King William County	Saturday prior to the third Monday in November through the first Saturday in January
Lancaster County	Saturday prior to the third Monday in November through the first Saturday in January
<u>Lee County (except on national forest lands)</u>	<u>Saturday prior to the third Monday in November and for 28 consecutive days following</u>
Lee County <u>(national forest lands)</u>	Saturday prior to the third Monday in November and for 14 consecutive days following
Loudoun County	Saturday prior to the third Monday in November through the first Saturday in January
Loudoun County (antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the

	first Saturday in January through the last Sunday in March
Louisa County	Saturday prior to the third Monday in November through the first Saturday in January
Lunenburg County	Saturday prior to the third Monday in November through the first Saturday in January
Madison County	Saturday prior to the third Monday in November through the first Saturday in January
Madison County (private lands and antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
Mathews County	Saturday prior to the third Monday in November through the first Saturday in January
Mecklenburg County	Saturday prior to the third Monday in November through the first Saturday in January
Middlesex County	Saturday prior to the third Monday in November through the first Saturday in January
Montgomery County (non-national forest lands)	Saturday prior to the third Monday in November and for 28 consecutive days following <u>through the first Saturday in January</u>
Montgomery County (national forest lands)	Saturday prior to the third Monday in November and for 14 consecutive days following

Montgomery County (non-national forest lands and antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

~~Nelson County
(west of Route 151, except on national forest lands)~~

~~Saturday prior to the third Monday in November and for 28 consecutive days following~~

Nelson County (national forest lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Nelson County
(~~east of Route 151~~ except on national forest lands)

Saturday prior to the third Monday in November through the first Saturday in January

New Kent County

Saturday prior to the third Monday in November through the first Saturday in January

Northampton County

Saturday prior to the third Monday in November through the first Saturday in January

Northumberland County

Saturday prior to the third Monday in November through the first Saturday in January

Nottoway County

Saturday prior to the third Monday in November through the first Saturday in January

Orange County

Saturday prior to the third Monday in November through the first Saturday in January

Orange County (private lands and antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the

	first Saturday in January through the last Sunday in March
<u>Page County (except on national forest lands)</u>	<u>Saturday prior to the third Monday in November through the first Saturday in January</u>
Page County (<u>national forest lands</u>)	Saturday prior to the third Monday in November and for 14 consecutive days following
Page County (non-national forest lands and antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
Patrick County	Saturday prior to the third Monday in November and for 28 consecutive days following
Pittsylvania County	Saturday prior to the third Monday in November through the first Saturday in January
Powhatan County	Saturday prior to the third Monday in November through the first Saturday in January
Prince Edward County	Saturday prior to the third Monday in November through the first Saturday in January
Prince George County	Saturday prior to the third Monday in November through the first Saturday in January
Prince William County	Saturday prior to the third Monday in November through the first Saturday in January
Prince William County (antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the

	first Saturday in January through the last Sunday in March
Pulaski County (except on New River Unit of the Radford Army Ammunition Plant adjacent to the Town of Dublin and national forest lands)	Saturday prior to the third Monday in November and for 28 consecutive days following <u>through the first Saturday in January</u>
Pulaski County (New River Unit of the Radford Army Ammunition Plant adjacent to the Town of Dublin)	Saturday prior to the second Monday in November through the first Saturday in January
Pulaski County (national forest lands)	Saturday prior to the third Monday in November and for 14 consecutive days following
Pulaski County (non-national forest lands and antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
Rappahannock County	Saturday prior to the third Monday in November through the first Saturday in January
Rappahannock County (private lands and antlerless deer only)	First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March
Richmond County	Saturday prior to the third Monday in November through the first Saturday in January
Roanoke County (private lands except on national forest and department-owned lands)	Saturday prior to the third Monday in November and for 28 consecutive days following <u>through the first Saturday in January</u>
Roanoke County (public lands national forest and department-owned lands)	Saturday prior to the third Monday in November and for 14 consecutive days following

Rockbridge County (except on national forest and department-owned lands)

Saturday prior to the third Monday in November and for 28 consecutive days following

Rockbridge County (national forest and department-owned lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Rockingham County (except on national forest lands and private lands west of routes 613 and 731)

Saturday prior to the third Monday in November through the first Saturday in January

Rockingham County (national forest lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Rockingham County (private lands west of routes 613 and 731)

Saturday prior to the third Monday in November and for 28 consecutive days following

Russell County (except on national forest lands, Channels State Forest, and department-owned lands)

Saturday prior to the third Monday in November and for 28 consecutive days following

Russell County (national forest lands, Channels State Forest, and department-owned lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Scott County (except on national forest lands)

Saturday prior to the third Monday in November and for 28 consecutive days following

Scott County (national forest lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Shenandoah County (except on national forest lands)

Saturday prior to the third Monday in November through the first Saturday in January

Shenandoah County (national forest lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Shenandoah County (non-national forest lands antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in

	October and the Sunday following the first Saturday in January through the last Sunday in March
<u>Smyth County (except on national forest lands, Hungry Mother State Park, and department-owned lands)</u>	<u>Saturday prior to the third Monday in November and for 28 consecutive days following</u>
Smyth County (<u>national forest lands, Hungry Mother State Park, and department-owned lands</u>)	Saturday prior to the third Monday in November and for 14 consecutive days following
Southampton County	Saturday prior to the third Monday in November through the first Saturday in January
Spotsylvania County	Saturday prior to the third Monday in November through the first Saturday in January
Stafford County	Saturday prior to the third Monday in November through the first Saturday in January
Suffolk (City of) (east of Dismal Swamp Line)	October 1 through November 30
Suffolk (City of) (west of Dismal Swamp Line)	Saturday prior to the third Monday in November through the first Saturday in January
Surry County	Saturday prior to the third Monday in November through the first Saturday in January
Sussex County	Saturday prior to the third Monday in November through the first Saturday in January
<u>Tazewell County (except on national forest and department-owned lands)</u>	<u>Saturday prior to the third Monday in November and for 28 consecutive days following</u>
Tazewell County (<u>national forest and department-owned lands</u>)	Saturday prior to the third Monday in November and for 14 consecutive days following

Virginia Beach (City of)

October 1 through November 30

Warren County (non-national forest lands)

Saturday prior to the third Monday in November through the first Saturday in January

Warren (non-national forest lands antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

Warren County (national forest lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Washington County (except on national forest lands, Channels State Forest, and department-owned lands)

Saturday prior to the third Monday in November and for 28 consecutive days following

Washington County (national forest lands, Channels State Forest, and department-owned lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Westmoreland County

Saturday prior to the third Monday in November through the first Saturday in January

Wise County (except on national forest)

Saturday prior to the third Monday in November and for 28 consecutive days following

Wise County (national forest lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

Wythe County (except on national forest and department-owned lands)

Saturday prior to the third Monday in November through the first Saturday in January

Wythe County (national forest and department-owned lands)

Saturday prior to the third Monday in November and for 14 consecutive days following

York County

Saturday prior to the third Monday in November through the first Saturday in January

York County (private lands and antlerless deer only)

First Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March

B. Except as provided in subsection A of this section, deer may be hunted from the Saturday prior to the third Monday in November through the first Saturday in January, both dates inclusive, within the incorporated limits of any city or town that allows deer hunting.

C. In addition to provisions of subsection A of this section, antlerless deer may be taken from the first Saturday in September through the Friday prior to the first Saturday in October and the Sunday following the first Saturday in January through the last Sunday in March, both dates inclusive, within any disease focus zone designated by the department.

Rationale:

- (i) Many constituents west of the Blue Ridge Mountains (WBR), especially in southwestern Virginia, provided comments during the most recent scoping period requesting a longer deer firearms season due to limited time to hunt during the current 2-week season. Recent (2024) hunter survey results showed equal support for 2-, 3-, and 4-week rifle seasons WBR. During recent regulation cycles, several counties WBR had general firearms seasons extended to four weeks (with full season either-sex and earn a buck) to help meet population objectives and/or manage chronic wasting disease (CWD). Providing two additional weeks of general firearms deer hunting offers expanded hunting opportunities for all counties WBR, while addressing population objectives where needed through expanded either-sex opportunity. Where population reduction is not necessary WBR, either-sex days can still be limited. Under this recommendation, public lands WBR (i.e., National Forests and Department-owned lands) will retain 2-week general firearms deer seasons in light of concerns about lower deer population levels and to reduce potential conflicts with bear hunters who have traditionally hunted on these lands at that time.
- (ii) Despite having full season either-sex, earn a buck, and early and late antlerless only firearms seasons, Page, Shenandoah, and Warren counties continue to have deer populations above objective with increasing population trends in chronic wasting disease (CWD) disease management areas (DMAs). Increasing the current 2-week firearms seasons to 7-week seasons will increase opportunity to reduce deer abundance and make the season lengths here consistent with those in adjacent counties in DMA1 and DMA2.

Similarly, deer populations in DMA3 continue to be above objective despite full season either-sex, earn a buck, early and late antlerless only firearms seasons, and increasing season length to 4 weeks during recent regulations cycles. Increasing firearms season length to 7 weeks in Carroll, Floyd, Franklin, Montgomery, Pulaski, Roanoke, and Wythe

will increase opportunity to reduce deer abundance and make season lengths consistent with DMA1 and DMA2 where CWD has also become established.

The private land deer population index in Bedford County continues to greatly exceed the population objective in the Department's deer management plan, despite having full-season, either-sex deer hunting seasons and the earn a buck requirement for many years. Bedford is in the top 10 for highest deer-vehicle collisions in the state, annually. While Bedford yields the highest deer kill per square mile in the state each year, deer-human conflicts continue to increase. Given the popularity of deer hunting in the county, increasing the firearms season length to 7 weeks may be impactful toward reaching the deer population objective.

Firearms season lengths for Amherst and Nelson counties are split by routes 29 and 151, respectively, with the west sides having a 4-week firearms season and the east sides having a 7-week season. Population indices for these counties have been above objective for years. Increasing the west sides of the counties will increase harvest opportunity to help meet objectives and simplify regulations for hunters and officers within the county.

Rockingham County continues to present a unique deer management challenge, with the majority of the county offering high quality deer habitat, abundant agriculture, urban/exurban development, and high deer abundance with associated human-deer conflicts. Objectives here have been to reduce deer abundance, yet population trends continue to increase. However, in the far western portion of the county (west of Routes 613 and 731), deer habitat is much poorer, there is little agriculture, deer abundance is lower, and either-sex hunting opportunity has been more conservative. Private lands in western Rockingham will receive the 4-week firearms season, with limited antlerless days, to be consistent with all other counties WBR; however, private lands east of Routes 613 and 731 will receive a 7-week season with full antlerless opportunities to help reduce deer abundance where necessary.

- (iii) The private land deer population indices in Greene, Hanover, Henrico, and James City counties have exceeded population objectives in the Department's deer management plan for a number of years, despite full-season, either-sex deer hunting seasons and the earn a buck requirement. These counties continue to experience human population growth and suburban/exurban development and a high number of associated human-deer conflicts, such as vehicle collisions and residential conflicts. Additionally, it is important to reduce deer abundance in Greene County given its proximity to CWD DMA2 to reduce the likelihood of the disease spreading further. The addition of early and late antlerless-only seasons is the next step to address deer populations in these counties.
- (iv) The "public lands" and "private lands" distinctions in Carroll and Roanoke counties did not accurately convey the intent of this regulation. As described correctly in the hunting laws digest, only "national forests and department-owned lands" were to retain the shorter seasons while the remaining private and public lands (e.g., county lands, state parks) were eligible for 4-week deer firearm seasons if they choose to allow deer hunting.

4VAC15-90-70

Game: Deer: Archery hunting.

Summary:

The recommendation is to (i) simplify the regulation by clarifying that the late archery season is only open in areas where the general firearms deer season closes before the first Saturday in January and (ii) clarify language regarding the “carry” of firearms during the archery season for deer to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of the amendment:

4VAC15-90-70. Archery hunting.

A. It shall be lawful to hunt deer during the early special archery season with archery equipment or a slingbow from the first Saturday in October through the Friday prior to the third Monday in November, both dates inclusive.

B. In addition to the season provided in subsection A of this section, it shall be lawful to hunt deer during the late special archery season with archery equipment or a slingbow:

~~1. From from the Sunday following the close of the general firearms season on deer through the first Saturday in January, both dates inclusive, (i) in all cities, towns, and counties, or portions thereof, where the general firearms deer season closes before the first Saturday in January, west of the Blue Ridge Mountains (except Clarke County and on non-national forest lands in Frederick County); (ii) in the Counties (including the cities and towns within) of Amherst (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River), Bedford, Franklin, Henry, Nelson (west of Route 151), and Patrick; (iii) on the Chester F. Phelps Wildlife Management Area; and (iv) on national forest lands in Frederick County.~~

~~2. From December 1 through the first Saturday in January, both dates inclusive, in the Cities of Chesapeake, Suffolk (east of the Dismal Swamp Line), and Virginia Beach.~~

C. Deer of either sex may be taken full season during the special archery seasons as provided in subsections A and B of this section.

D. It shall be unlawful to ~~carry use~~ firearms to hunt any game species while hunting with archery equipment during the special archery seasons, except that a muzzleloading gun, as defined in 4VAC15-90-80, may be ~~in the possession of~~ used by a properly licensed muzzleloading gun hunter to hunt for deer when and where a special archery deer season overlaps a special muzzleloading deer season.

E. It shall be unlawful to use dogs when hunting with archery equipment during any special archery season, except that tracking dogs as described in § 29.1-516.1 of the Code of Virginia may be used.

F. It shall be lawful to hunt antlerless deer during the special urban archery season with archery equipment or a slingbow from the first Saturday in September through the Friday prior to the first Saturday in October, both dates inclusive, and from the Sunday following the first Saturday

in January through the last Sunday in March, both dates inclusive, within the incorporated limits of any city or town in the Commonwealth (except on national forest and department-owned lands) and counties with a human population density of 300 persons per square mile or more (except on national forest and department-owned lands), provided that its governing body submits by certified letter to the department prior to April 1, its intent to participate in the special urban archery season. Any city, town, or county no longer participating in this season shall submit by certified letter to the department prior to April 1 notice of its intent not to participate in the special urban archery season. When consistent with the department's deer management objectives and subject to the director's approval, a participating county may exclude from this season a geographic area by submitting a clear description of such area in a certified letter to the department prior to April 1.

G. It shall be lawful to hunt antlerless deer during the special urban archery season with archery equipment or a slingbow during dates specified in subsection F of this section within the boundaries of any common interest community as defined in § [54.1-2345](#) of the Code of Virginia provided that (i) the association submits by certified letter to the department prior to July 1 the association's request to participate in the special urban archery season and (ii) the department approves such request.

1. The special urban archery season will in no way supersede any local ordinance, any restriction in the association's governing documents, or the requirement to obtain a landowner's permission to hunt.

2. An association no longer participating in the special urban archery season shall submit notice of the association's intent not to participate in the special urban archery season. The association shall submit the certified letter to the department prior to July 1.

3. At its discretion, the department may suspend or revoke the special urban archery season in any association upon written notice to the association.

For the purposes of this subsection, "association" means the governing board or the authorized agent of the governing board of an association of property owners, condominium unit owners, or proprietary lessees.

H. It shall be lawful to hunt antlerless deer during the special antlerless archery season with archery equipment or a slingbow from the Monday following the last Sunday in March through the last Sunday in April, both dates inclusive, in the Counties of Arlington, Fairfax, Loudoun, and Prince William (including the cities and towns within).

Rationale:

- (i) With the general firearms deer season recommended to extend to 7 weeks in all or part of 14 western counties (4VAC15-90-10), the late special archery season will no longer be applicable in those areas. Rather than complicate the archery regulation with more exceptions, this recommendation simply clarifies that the late archery season is only open in areas where the general firearms season closes before the first Saturday in January.

- (ii) It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

4VAC15-90-80

Game: Deer: Muzzleloading gun hunting.

Summary:

The recommendation is to (i) simplify the regulation by clarifying that the late muzzleloading season is only open in areas where the general firearms deer season closes before the first Saturday in January, (ii) provide for two either-sex deer hunting days in Buchanan County, one each during the early and late muzzleloading seasons, (iii) provide for one either-sex deer hunting day during the late muzzleloading season on federal lands in Dickenson County, (iv) update the definitions of muzzleloading rifles and revolvers to better reflect the muzzleloading firearms applicable to the muzzleloading season, and (iv) clarify language regarding the “carry” of firearms during the muzzleloading season for deer to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of the amendment:

4VAC15-90-80. Muzzleloading gun hunting.

A. It shall be lawful to hunt deer during the early special muzzleloading season with muzzleloading guns from the Saturday prior to the first Monday in November through the Friday prior to the third Monday in November, both dates inclusive, in all cities, towns, and counties where deer hunting with a rifle or muzzleloading gun is permitted, except in the Cities of Chesapeake, Suffolk (east of the Dismal Swamp Line), and Virginia Beach.

B. It shall be lawful to hunt deer during the late special muzzleloading season with muzzleloading guns starting 21 consecutive days immediately prior to and on the first Saturday in January:

~~1. In in all cities, towns, and counties, or portions thereof, where the general firearms deer season closes before the first Saturday in January. west of the Blue Ridge Mountains (except Clarke County and on non-national forest lands in Frederick County);~~

~~2. East of the Blue Ridge Mountains in the Counties (including the cities and towns within) of Amherst (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River), Bedford, Franklin, Henry, Nelson (west of Route 151), and Patrick;~~

~~3. On national forest lands in Frederick County; and~~

~~4. In the Cities of Chesapeake, Suffolk (east of the Dismal Swamp Line), and Virginia Beach.~~

C. Deer of either sex may be taken during the entire early special muzzleloading season east of the Blue Ridge Mountains unless otherwise noted in this subsection:

1. Deer of either sex may be taken on the second Saturday only of the early special muzzleloading season on state forest lands, state park lands (except Occoneechee State Park),

department-owned lands (except on Merrimac Farm Wildlife Management Area), and Philpott Reservoir.

2. Antlered bucks only—no either-sex deer hunting days during the early special muzzleloading season on national forest lands in Amherst, Bedford, and Nelson Counties.

D. Deer of either sex may be taken on the second Saturday only during the early special muzzleloading season west of the Blue Ridge Mountains unless otherwise noted in this subsection.

1. Deer of either sex may be taken during the entire early special muzzleloading season in Clarke and Floyd Counties and on private lands in Augusta, Botetourt, Carroll, Frederick, Grayson, Montgomery, Page, Pulaski, Roanoke, Rockingham (east of Routes 613 and 731), Scott, Smyth, Shenandoah, Warren, and Wythe Counties.

2. Antlered bucks only—no either-sex deer hunting days during the early special muzzleloading season ~~in Buchanan County~~; on federal lands in Dickenson County; on department-owned land in Russell County; on national forest lands in Alleghany, Bland, Craig, Frederick, Giles, Grayson, Lee, Montgomery, Page, Pulaski, Rockingham, Scott, Shenandoah, Warren, and Wise Counties; on national forest and department-owned lands in Augusta, Bath, Botetourt, Carroll, Highland (except Highland Wildlife Management Area), Roanoke, Rockbridge, Smyth, Tazewell, Washington, and Wythe Counties; on Channels State Forest, Grayson Highlands State Park, Hungry Mother State Park; and on private lands west of Routes 613 and 731 in Rockingham County.

E. Deer of either sex may be taken during the last six days of the late special muzzleloading season unless otherwise listed in this subsection:

1. Deer of either sex may be taken full season during the entire late special muzzleloading season in the Counties (including the cities and towns within) of ~~Amherst (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River, except on national forest lands); Bedford (except on national forest lands); Floyd, Franklin, Henry, Nelson (west of Route 151, except on national forest lands); and Patrick and~~; on private lands in Augusta, Botetourt, ~~Carroll~~, Craig, Giles, Grayson, ~~Montgomery, Page, Pulaski, Roanoke, Rockingham (east of Routes 613 and 731)~~, Scott, ~~and~~ Smyth, ~~Shenandoah, Warren, and Wythe~~ Counties; and on federal and department-owned lands in Franklin County.

2. Deer of either sex may be taken the last day only during the late special muzzleloading season in Alleghany, Bath, Buchanan, Highland, Lee, Russell, Tazewell, and Wise Counties; on national forest lands in Amherst, Bedford, Bland, Craig, Frederick, Giles, Grayson, Montgomery, Nelson, Page, Pulaski, Rockingham, Scott, Shenandoah, and Warren Counties; on national forest and department-owned lands in Augusta, Botetourt, Carroll, Roanoke, Rockbridge, Smyth, Washington, and Wythe Counties; on federal lands in Dickenson County; and on private lands west of Routes 613 and 731 in Rockingham County, Channels State Forest, Grayson Highlands State Park, and Hungry Mother State Park.

~~3. Antlered bucks only—no either-sex deer hunting days during the late special muzzleloading season in Buchanan County.~~

F. Deer of either sex may be taken full season during the special muzzleloading seasons within the incorporated limits of any city or town in the Commonwealth that allows deer hunting except in the Cities of Chesapeake, Suffolk, and Virginia Beach.

G. It shall be unlawful to hunt deer with dogs during any special season for hunting with muzzleloading guns, except that tracking dogs as described in § 29.1-516.1 of the Code of Virginia may be used.

H. Muzzleloading guns, for the purpose of this section, include:

1. ~~Single-shot muzzleloading~~ Muzzleloading rifles (one or more barrels).40 caliber or larger, firing a single projectile or sabot (with a.35 caliber or larger projectile) where the projectile is loaded from the muzzle;
2. Muzzleloading shotguns (one or more barrels) not larger than 10 gauge where the projectiles are loaded from the muzzle;
3. Muzzleloading pistols (one or more barrels).45 caliber or larger, firing a single projectile or sabot (with a.35 caliber or larger projectile) per barrel where the propellant and projectile are loaded from the muzzle;
4. Muzzleloading revolvers ~~.45.44~~ caliber or larger, firing a single projectile or sabot (with a.35 caliber or larger projectile) per cylinder where the propellant and projectile are loaded from the forward end of the cylinder.

I. It shall be unlawful to ~~have in immediate possession hunt deer with~~ any firearm other than a muzzleloading gun ~~while hunting with a muzzleloading gun in a~~ during the special muzzleloading deer season.

Rationale:

- (i) With the general firearms deer season recommended to extend to 7 weeks in all or part of 14 western counties (4VAC15-90-10), the late muzzleloading season will no longer be applicable in those areas. Rather than complicate the muzzleloading regulation with more exceptions, this recommendation simply clarifies that the late muzzleloading season is only open in areas where the general firearms season closes before the first Saturday in January. This recommendation also removes references to either-sex days during the late muzzleloading season in these affected counties.
- (ii) Although the deer population in Buchanan County is currently meeting objective in the Department's deer management plan, the population is increasing and can support an incremental increase in antlerless harvest, which will also provide additional recreational opportunity. Because Buchanan County has had no either-sex days outside of archery season for some time, it is deemed more appropriate to add either-sex days during the muzzleloader seasons than during the general firearms season. This first step aligns with the approach used during recent regulation cycles in adjoining counties.

- (iii) This recommendation will rectify an oversight during the last regulation cycle. Dickenson County was removed from subsection E.2 of this regulation because private lands were recommended for the standard six either-sex days during the late muzzleloader season (subsection E). Federal lands, including Flannagan Reservoir and National Forests, were intended to retain only one either-sex day; therefore, this recommendation adds these lands back into subsection E.2.

- (iv) The current regulation language indicates that muzzleloading rifles must be a single shot weapon. However, double barrel muzzleloading rifles are manufactured, and it isn't the Department's intent to preclude double barreled muzzleloaders from being used during the special muzzleloading season. Further, muzzleloading revolvers shooting a .45 caliber projectile are routinely sold as .44 caliber muzzleloading revolvers, causing confusion regarding whether a .44 caliber muzzleloading revolver meets the regulatory requirement for use during the special muzzleloader season. The recommendation will bring the regulation language in line with the department's intent of allowing double barreled muzzleloading rifles to be used during and clarifying that a .44 caliber muzzleloading revolver is a legal weapon for the special muzzleloading season.

- (v) It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

4VAC15-90-89

Game: Deer: Earn a buck

Summary:

The recommendation is to (i) implement the Earn A Buck regulation in Chesterfield, Craig, Giles, and Spotsylvania Counties; and (ii) clarify that deer taken on kill permits do not fulfill Earn a Buck requirements.

Recommended language of the amendment:

4VAC15-90-89. Earn a buck.

A. For the purposes of this section, the term "license year" means the period between July 1 and June 30 of the following year.

B. Within a license year and within in each individual county listed in this subsection, a hunter must have taken at least one antlerless deer on private lands in that county before taking a second antlered deer on private lands in that county. In those counties listed in this subsection east of the Blue Ridge Mountains, a hunter must have taken at least two antlerless deer on private lands in that county before taking a third antlered deer on private lands in that county.

The counties subject to the provisions of this subsection are Accomack, Albemarle, Amherst (west of Route 29), Augusta, Bedford, Botetourt, Carroll, [Chesterfield](#), Clarke, [Craig](#), Culpeper, Fauquier, Floyd, Franklin, Frederick, [Giles](#), Grayson, Greene, Hanover, Henrico, James City, Madison, Montgomery, Orange, Page, Prince George, Pulaski, Rappahannock, Roanoke, Rockingham (east of Routes 613 and 731), Shenandoah, [Spotsylvania](#), Stafford, Warren, Wythe, and York.

C. Within a license year and within each individual county listed in this subsection, a hunter must have taken at least one antlerless deer in that county before taking a second antlered deer in that county. A hunter must also have taken at least two antlerless deer in that county before taking a third antlered deer in that county.--

The counties subject to the provisions of this subsection are Arlington, Fairfax, Loudoun, and Prince William (except on Department of Defense lands).

D. Within a license year and within any city or town, except the Cities of Chesapeake, Suffolk, and Virginia Beach, a hunter must have taken at least one antlerless deer in that city or town before taking a second antlered deer in that city or town. In those cities and towns east of the Blue Ridge Mountains, a hunter must have taken at least two antlerless deer in that city or town before taking a third antlered deer in that city or town.

E. The Earn A Buck Program does not apply to the Cities of Chesapeake, Suffolk, and Virginia Beach.

[F. Deer taken under provisions of § 29.1-529 of the Code of Virginia do not fulfill the requirements of Earn a Buck.](#)

Rationale:

- (i) Chesterfield County and Spotsylvania County are two of the fastest growing/developing counties in Virginia and the deer population is currently above objective. Increasing antlerless harvest is necessary to help alleviate human conflicts with deer in these urbanizing counties. Deer populations in Craig and Giles County have remained above objective for a number of years despite having full either-sex hunting opportunities in every season. In addition, these counties are adjacent to a CWD disease management area. The next step to address deer population levels and be proactive regarding CWD risks is to include these two counties in the Earn a Buck regulation.
- (ii) The taking of deer on kill permits is not considered hunting, and as such, the intent has never been for such deer to count toward Earn a Buck requirements. This recommendation addresses questions the Department has received in recent years.

4VAC15-90-91

Game: Deer: General firearms season either-sex deer hunting days.

Summary:

The recommendation is to (i) increase the either-sex deer hunting days for 29 counties, four (4) Wildlife Management Areas, and Cumberland State Forest as shown in the table below, (ii) edit the text outlining which three (3) days of the season hunters are allowed to hunt deer of either-sex in Lee County, and (iii) include references to National Forest lands in Dickenson and Wise Counties to maintain antlered deer only (no either-sex days) hunting on these lands.

City/County/WMA	Change	Current	Recommended
Alleghany	Increase	2	3
Amelia	Increase	15	31
Amherst (east of Business 29)	Increase	31	Full season
Bath	Increase	2	3
Bland	Increase	3	8
Campbell (east of NS Railroad)	Increase	31	Full season
Cumberland	Increase	15	31
Dickenson	Increase	0	1
Fluvanna	Increase	31	Full season
Gloucester	Increase	15	31
Greensville	Increase	8	Full season
Halifax	Increase	15	31
Highland	Increase	2	3
King George	Increase	31	Full season
Lancaster	Increase	31	Full season
Lee	Same	3	3
Louisa	Increase	31	Full season
Nelson (east of Rt. 151)	Increase	31	Full season
Northumberland	Increase	31	Full season
Nottoway	Increase	15	31
Pittsylvania (east of NS Railroad)	Increase	31	Full season
Richmond	Increase	31	Full season
Rockbridge	Increase	3	Full season
Rockingham (west of Rts. 613 and 731)	Increase	2	3
Russell	Increase	3	8
Scott	Increase	7	8
Tazewell	Increase	3	8
Washington	Increase	8	Full season
Westmoreland	Increase	31	Full season
Wise	Increase	0	1
Public Land	Change	Current	Recommended

Amelia WMA	Increase	8	15
Highland WMA	Increase	2	3
Turkeycock WMA	Increase	7	8
White Oak Mountain WMA	Increase	4	5
Cumberland State Forest	Increase	2	3
Dickenson – National Forest	Same	0	0
Wise – National Forest	Same	0	0

Recommended language of amendment:

4VAC15-90-91. General firearms season either-sex deer hunting days.

A. During the general firearms deer season, deer of either sex may be taken within:

Accomack County: full season.

Albemarle County: full season.

Alleghany County: the second Saturday, ~~and the last day~~ second Friday, and third Saturday.

-National forest lands: the last day.

Amelia County: the second and third Saturdays and the last ~~13~~ 29 days.

-Amelia WMA: the second and third Saturdays and the last ~~six~~ 13 days.

Amherst County (east of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River): ~~the second and third Saturdays and the last 29 days~~ full season.

Amherst County (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River): full season.

-National forest lands: the last day.

Appomattox County: the second and third Saturdays and the last six days.

-Appomattox-Buckingham State Forest: the second and third Saturdays.

-Featherfin WMA: the second and third Saturdays and the last 29 days.

Arlington County: full season.

Augusta County: full season.

-National forest and department-owned lands: the last day.

Bath County: the second Saturday, ~~and the last day~~ second Friday, and third Saturday.

-National forest and department-owned lands: the last day.

Bedford County: full season.

-National forest lands: the last day.

Bland County: the second Saturday ~~and the last two days~~ through the third Saturday.

-National forest lands: the second Saturday and the last two days.

Botetourt County: full season.

-National forest and department-owned lands: the last day.

Brunswick County: the second and third Saturdays and the last six days.

Buchanan County: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Buckingham County: the second and third Saturdays and the last six days.

-Horsepen Lake WMA: the second and third Saturdays and the last six days.

-Appomattox-Buckingham State Forest: the second and third Saturdays.

-Featherfin WMA: the second and third Saturdays and the last 29 days.

Campbell County (east of Norfolk Southern Railroad): ~~the second and third Saturdays and the last 29 days~~ full season.

Campbell County (west of Norfolk Southern Railroad): full season.

Caroline County: the second and third Saturdays and the last six days.

~~-Mattaponi WMA~~ Department-owned lands: the second and third Saturdays and the last six days.

Carroll County: full season.

-National forest and department-owned lands: the second Saturday and the last day.

Charles City County: full season.

-Chickahominy WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Charlotte County: the second and third Saturdays and the last six days.

Chesapeake (City of): full season.

-Cavalier WMA: the second and third Saturdays and the last 13 days.

Chesterfield County: full season.

Clarke County: full season.

Craig County: full season.

-National forest and department-owned lands: the second Saturday and the last two days.

Culpeper County: full season.

-Chester F. Phelps WMA: the second Saturday.

Cumberland County: the second and third Saturdays and the last ~~13~~ 29 days.

-Cumberland State Forest: the second, ~~and~~ third, and fourth Saturdays.

Dickenson County: ~~antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.~~ the third Saturday.

-Federal lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Dinwiddie County: the second and third Saturdays and the last six days.

Essex County: the second and third Saturdays and the last six days.

Fairfax County: full season.

Fauquier County: full season.

-G. Richard Thompson WMA: the second and third Saturdays and the last 13 days.

-Chester F. Phelps WMA: the second Saturday.

Floyd County: full season.

Fluvanna County: ~~second and third Saturdays and the last 29 days~~ full season.

-Hardware River WMA: the second and third Saturdays and the last 13 days.

Franklin County: full season.

-Philpott Reservoir: the second Saturday and the last six days.

-Turkeycock Mountain WMA: the second and third Saturday and the last six days.

Frederick County: full season.

-National forest lands: the last day.

Giles County: full season.

-National forest lands: the second Saturday and the last two days.

Gloucester County: the second and third Saturdays and the last ~~13~~ 29 days.

Goochland County: full season.

Grayson County: full season.

-National forest lands and Grayson Highlands State Park: the last day.

Greene County: full season.

Greensville County: ~~the second and third Saturdays and the last six days~~ full season.

Halifax County: the second and third Saturdays and the last ~~13~~ 29 days.

Hanover County: full season.

Henrico County: full season.

Henry County: the second and third Saturdays and the last 13 days.

-Fairystone Farms WMA, Fairystone State Park, and Philpott Reservoir: the second Saturday and the last six days.

-Turkeycock Mountain WMA: the second and third Saturday and the last six days.

Highland County: the second Saturday, ~~and the last day~~ second Friday, and third Saturday.

-National forest lands: the last day.

-Department-owned lands: the second Saturday, ~~and the last day~~ second Friday, and third Saturday.

Isle of Wight County: full season.

-Ragged Island WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

James City County: full season.

King and Queen County: the second and third Saturdays and the last 13 days.

King George County: ~~the second and third Saturdays and the last 29 days~~ full season.

King William County: the second and third Saturdays and the last 13 days.

Lancaster County: ~~the second and third Saturdays and the last 29 days~~ full season.

Lee County: the second Saturday, ~~and the last two days~~ second Friday, and third Saturday.

-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Loudoun County: full season.

Louisa County: ~~the second and third Saturdays and the last 29 days~~ full season.

Lunenburg County: the second and third Saturdays and the last six days.

Madison County: full season.

-Rapidan WMA: the second and third Saturdays and the last 13 days.

Mathews County: the second and third Saturdays and the last six days.

Mecklenburg County: the second and third Saturdays and the last six days.

-Dick Cross WMA: the second and third Saturdays and the last six days.

Middlesex County: the second and third Saturdays and the last six days.

Montgomery County: full season.

-National forest lands: the second Saturday and the last day.

Nelson County (east of Route 151): ~~the second and third Saturdays and the last 29 days~~ full season.

-James River WMA and Tye River WMA: the second Saturday and the last six days.

Nelson County (west of Route 151): full season.

-National forest lands: the last day.

New Kent County: full season.

Northampton County: full season.

Northumberland County: ~~the second and third Saturdays and the last 29 days~~ full season.

Nottoway County: the second and third Saturdays and the last ~~13~~ 29 days.

Orange County: full season.

Page County: full season.

-National forest lands: the last day.

Patrick County: the second and third Saturdays and the last 13 days.

-Fairystone Farms WMA, Fairystone State Park, and Philpott Reservoir: the second Saturday and the last six days.

Pittsylvania County (east of Norfolk Southern Railroad): ~~the second and third Saturdays and the last 29 days~~ full season.

-White Oak Mountain WMA: the second and third Saturday and the last three days.

Pittsylvania County (west of Norfolk Southern Railroad): full season.

Powhatan County: full season.

-Powhatan WMA: the second and third Saturdays and the last 13 days.

Prince Edward County: the second and third Saturdays and the last six days.

-Briery Creek WMA: the second and third Saturdays and the last six days.

-Featherfin WMA: the second and third Saturdays and the last 29 days.

-Prince Edward State Forest: the second and third Saturdays.

Prince George County: full season.

Prince William County: full season.

Pulaski County: full season.

-National forest lands: the second Saturday and the last day.

Rappahannock County: full season.

Richmond County: ~~the second and third Saturdays and the last 29 days~~ full season.

Roanoke County: full season.

-National forest and department-owned lands: the last day.

Rockbridge County: ~~the second Saturday and the last two days~~ full season.

-National forest and department-owned lands: the last day.

Rockingham County: full season.

-National forest lands: the last day.

-Private lands west of Routes 613 and 731: the second Saturday, ~~and the last day~~ second Friday, and third Saturday.

Russell County: the second Saturday ~~and the last two days~~ through the third Saturday.

-Department-owned lands and the Channels State Forest: the last day.

Scott County: the second Saturday ~~and the last six days~~ through the third Saturday.

-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Shenandoah County: full season.

-National forest lands: the last day.

Smyth County: full season.

-National forest lands, department-owned lands, and Hungry Mother State Park: the last day.

Southampton County: full season.

Spotsylvania County: full season.

-Oakley Forest WMA: the second and third Saturdays and the last 13 days.

Stafford County: full season.

Suffolk: full season.

Surry County: full season.

-Carlisle and Stewart Tracts of the Hog Island WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Sussex County: full season.

-Big Woods WMA, Flippo-Gentry WMA, and Big Woods State Forest: full season.

Tazewell County: the second Saturday ~~and the last two days~~ through the third Saturday.

-National forest and department-owned lands: the last day.

Virginia Beach (City of): full season.

Warren County: full season.

-National forest lands: the last day.

Washington County: ~~the second Saturday and the last six days~~ full season.

-National forest lands, department-owned lands, and the Channels State Forest: the last day.

Westmoreland County: ~~the second and third Saturdays and the last 29 days~~ full season.

Wise County: ~~antlered bucks only—no either sex days. Only deer with antlers above the hairline may be taken.~~ the third Saturday.

-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Wythe County: full season.

-National forest and department-owned lands: the second Saturday and the last two days.

York County: full season.

B. Except as provided in the subsection A of this section, deer of either sex may be taken full season during the general firearms deer season within the incorporated limits of any city or town, state park, national wildlife refuge, or military installation that allows deer hunting or within any common interest community participating in the special urban archery season according to provisions of 4VAC15-90-70.

Rationale:

Private Lands

Alleghany. The private land deer population index is currently being met in Alleghany at the moderate to high level. However, the cultural carrying capacity is likely exceeding the biological carrying capacity, i.e., the public desires more deer than can be sustained without damage to habitat. The recommended increase in either-sex days by one additional day will allow increased opportunity for harvest while also better aligning populations with the habitat.

Amelia. The private land deer population index is currently being met in Amelia at the moderate to high level but is trending towards high. While reported deer vehicle collisions have remained fairly constant (15-20 per year), census data from the 2020 census shows a slightly increasing human population. The recommended increase in either-sex days is a proactive change to address the increasing urbanization of this area and continue to meet the deer population objective. This would also continue to maintain consistency of regulations in the counties of Amelia, Cumberland, and Nottoway with similar habitat conditions and deer densities.

Amherst. Deer populations continue to remain high and above the current deer plan population objective (moderate) for Amherst County. Deer vehicle collisions have significantly increased during the last reporting cycle jumping from 83 to 126 in a one-year span. The increase to full season either-sex firearms hunting will simplify regulations and make the seasons consistent across the whole county, which currently has a split season east and west of Rt. 29. This recommendation will also align with recommendations for Campbell, Nelson, and Pittsylvania County to make regulations consistent across those entire counties, as well.

Bath. The private land deer population index is currently lower than objective (moderate to high), but much like Alleghany, due to habitat constraints, the cultural carrying capacity likely exceeds the biological carrying capacity. The addition of one either-sex firearms deer hunting day will better align the deer population with the habitat, while also keeping regulations consistent across the Alleghany, Bath, and Highland area.

Bland. Per the CWD management plan, private land deer population objectives in all disease management area counties are set no higher than moderate. Bland is currently over this objective at the moderate to high level and is included in DMA 4 in southwest Virginia. Deer vehicle collisions have also nearly doubled over the last 2-year reporting period. An increase in either-sex firearms hunting days should assist in meeting the desired population objective and reducing conflicts such as collisions and agricultural damage.

Campbell. Deer populations have exceeded the private land population objective of moderate since 2021 and deer vehicle collisions have trended upward from a reported low of 33 in 2019 to 70 in 2023. The increase in either-sex firearms hunting days to full season county wide will align with changes recommended in Amherst, Nelson, and Pittsylvania County while simultaneously simplifying regulations within each county. Law enforcement staff strongly supported the consistent season structure across the county to simplify regulations for hunters and enforcement staff alike.

Cumberland. While Cumberland is currently meeting its private land deer population objective (moderate to high) it has been trending closer to high since 2021. Deer vehicle collisions have doubled over the past 2 reporting cycles (10 in 2021 to 19 and 20 in 2022 and 2023, respectively). The recommended increase in firearms either-sex hunting days would maintain consistency of regulations in the counties of Amelia, Cumberland, and Nottoway with similar habitat conditions and deer densities.

Dickenson. During the 2024 regulation scoping public comment period, a large number of comments came from the coalfield region of Virginia asking for the opportunity to take antlerless deer during the

firearms deer season. Dickenson has had buck only hunting during the firearms season throughout its history due to historically low deer densities. With increased habitat management efforts on private and public lands in this region, particularly PALs lands, deer populations are rebounding. While Dickenson is meeting its population objective (moderate), it is actually trending to the higher end of this objective. Starting conservatively by proposing a single either-sex day during the firearms seasons should allow increased opportunity as requested by constituents in this area while still meeting the management objective as prescribed by the current deer plan.

Fluvanna. The private land deer population objective is currently higher than prescribed and has been for the past two seasons. Census data shows an increasing population trend for this area although deer vehicle collisions have moderated over the past few years with an average of 36 per year since 2020. The recommended increase to full season either-sex would be a proactive management action to continue to meet the private land deer population objective in an area that is quickly increasing in human density and urbanization.

Gloucester. While Gloucester is currently meeting its private land deer population objective (moderate), census data, deer vehicle collisions, and agricultural damage and complaints have all been increasing substantially since the past regulation cycle. The recommendation to increase either-sex day opportunities to full season would be a proactive management change to mitigate the increasing urbanization and conflicts for this area.

Greensville. The private land deer population index has rebounded following a hemorrhagic disease outbreak in 2014 and, while currently meeting its objective (moderate), it is trending higher and close to above objective for the past 2 seasons. Deer vehicle collisions have high reporting variability in this area with a peak of 52 reported in 2019, down to 31 reported in 2024. This is still higher than the lowest reports which occurred immediately following the HD outbreak, with reported incidents below 20 from 2014 to 2017. Constituent requests for increased antlerless opportunities have been high in recent years and as hunting participation wanes, the need for more liberal either-sex hunting days will continue to be needed to meet management objectives.

Halifax. Either-sex firearms hunting opportunities have varied over time in Halifax going from highly conservative opportunities (6 days) in the early 1990s to full season by 2011. Following a hemorrhagic disease outbreak in 2016, either-sex days were reduced to allow population recovery. Populations have since rebounded and are currently meeting the management objective (moderate) but trending toward moderate/high. Deer vehicle collisions sharply increased during the 2023 reporting period to 88, the highest number reported since 2008. The recommended increase in either-sex days would be a proactive management action to continue meeting the current population objective.

Highland. The private land deer population index is currently lower than objective (moderate to high), but much like Alleghany and Bath, due to habitat constraints, the cultural carrying capacity likely exceeds the biological carrying capacity. The addition of one either-sex firearms deer hunting day will better align the deer population with the habitat, while also keeping regulations consistent across the Alleghany, Bath, and Highland area.

King George. The private land deer population index has declined significantly from its peak (5.09 bucks harvested/square mile) in 2009 to meet its current management objective of moderate. During the past two seasons the index has begun to trend higher again, approaching the moderate to high index. While deer vehicle collisions are fairly stable (47 reports per year average since 2017), census data shows a significantly increasing population density. Increasing either-sex opportunities to full season will proactively manage for increased human populations and subsequent urban development, while also keeping regulations consistent throughout the Northern Neck.

Lancaster. The private land deer population index has not been met in Lancaster (moderate) since 2002 and, while coming down from a peak in 2009, still remains above objective and trending higher. While deer vehicle collisions and census data do not show significantly increasing trends, there has been increased development in this area in recent years. Increasing either-sex opportunities to full season should assist in meeting the current population objective, while also keeping regulations consistent throughout the Northern Neck.

Lee. The proposed change for Lee County does not involve any change in the number of either-sex firearms days but is simply rewording the regulation to keep the current days (3) in the second week of the season, rather than moving them to the end of the new proposed four-week firearm season. Local DWR staff acknowledged that hunting is extremely popular during the current second week of the firearms season and that keeping the either-sex days during this timeframe would be more beneficial to constituent desires.

Louisa. Census data shows a significantly increasing human population for Louisa coupled with a record number of deer vehicle collision reports for 2023 (67). While the private land population objective is currently being met (moderate), the deer population trend is increasing. Either-sex days have been at their current number (31) for 8 seasons with little change to the population index. Proactively increasing the either sex days to full season should assist in continuing to meet the population objective while mitigating continued urbanization and human population increases to this area. This recommendation would also keep Fluvanna and Louisa regulations consistent, as they have been for many years.

Nelson. Deer populations continue to remain moderate/high and above the current deer plan population objective (moderate) for Nelson County. Deer vehicle collision reports have varied but have approached 50 in recent years. The increase to full season either-sex firearms hunting will simplify regulations and make the seasons consistent across the county, which currently has a split season east and west of Rt. 151. This will align regulations with those recommended for Amherst, Campbell, and Pittsylvania to make regulations consistent across these counties, as well.

Northumberland. The private land deer population index is currently being met (moderate) but trending higher towards moderate/high since 2021. While deer vehicle collisions and census data do not show significantly increasing trends, there has been increased development in this area in recent years. Increasing either-sex opportunities to full season should assist in continuing to meet the current population objective, while also keeping regulations consistent throughout the Northern Neck.

Nottoway. Either-sex firearms hunting days have slowly been increased following a significant hemorrhagic disease outbreak in this area in 2014. Reduced antlerless opportunities allowed the population to recover and now exceed its stated population objective (moderate). While census data shows stable human populations in this area, deer vehicle collisions increased significantly for the 2023 reporting period (74). Increasing either-sex firearms hunting opportunities should assist in meeting the population management objective. This would also maintain consistency in regulations for Amelia, Cumberland, and Nottoway counties which have similar habitat conditions and deer densities.

Pittsylvania. The private land deer population objective is currently being met but has been consistently on the high side of moderate since 2007. While census data does not show any population increases, deer vehicle collisions doubled over the 2022 to 2023 reporting period. The increase in either-sex firearms hunting days to full season county wide will align with recommendations for Amherst, Campbell, and Nelson County while simultaneously simplifying regulations within each county. Law enforcement staff strongly supported the consistent season structure across the county to simplify regulations for hunters and enforcement staff alike.

Richmond. The private land deer population index is currently being met (moderate) but trending higher towards moderate/high. While deer vehicle collisions and census data do not show significantly

increasing trends, there has been increased development in this area in recent years. Increasing either-sex opportunities to full season should assist in continuing to meet the current population objective, while also keeping regulations consistent throughout the Northern Neck.

Rockbridge. Either-sex firearms hunting opportunities have historically been limited in Rockbridge, with a high of 8 either sex days allowed from 2003 to 2007. The private land deer population index is currently above objective (moderate) and has been in the moderate to high index since 2019. While census data shows stable human population trajectories, deer vehicle collisions nearly doubled from 109 in 2022 to 195 in 2023. Agricultural damage complaints and requests for out of season kill permits and damage control assistance permits have remained high. The recommended increase in either-sex firearms opportunities should assist in meeting the stated population objective while also making regulations more consistent with the adjoining counties of Augusta and Botetourt.

Rockingham. While the private land deer population index for Rockingham as a whole is above objective (moderate), the western portion of Rockingham has significant management differences that are hard to discern from the countywide harvest and population index. Habitat variability in this heavily forested portion of the county results in a lower carrying capacity and hence restrictive either-sex firearms opportunities. Based on local staff observations in this area along with public comments received during the public scoping period, deer densities could support an additional either-sex firearms opportunity. This would also align with the either-sex days recommended for Alleghany, Bath, and Highland counties.

Russell. The private land deer population index has steadily increased in Russell County since 2013 and is currently approaching moderate/high which is above objective (moderate). While census data shows declining human populations in this area, deer vehicle collisions were the highest reported in 2023 at 85. Conservative either-sex firearms opportunities have successfully increased this population to a point where additional either-sex opportunities are warranted to continue to meet the stated management objective. Comments received during the 2024 regulation scoping period were in favor of additional opportunities throughout the coalfields region. While Russell County is not within a designated CWD DMA, it is adjacent to Tazewell County, which had a positive CWD detection in 2023. Thus, additional either-sex opportunities may be beneficial to stabilize populations in close proximity to a disease management area.

Scott. The recommended increase of 1 additional either-sex day for Scott would align the regulations for Bland, Russell, Scott, and Tazewell counties, simplifying regulations across this entire area. While Scott is meeting its private land deer population objective (moderate to high) there are increasing numbers of agricultural damage complaints and requests for out of season kill permits in this area. Law enforcement staff were highly supportive of keeping regulations consistent across their enforcement districts to the extent possible based on management objectives.

Tazewell. Per the CWD management plan, private land deer population objectives in all disease management area counties are set no higher than moderate. Tazewell is currently over this objective at the moderate to high level and is included in DMA 4 in southwest Virginia due to a positive CWD detection in 2023. Deer vehicle collisions have steadily increased since 2020 with a high of 131 reported in 2023. An increase in either-sex firearms hunting days should assist in meeting the desired population objective and reducing conflicts such as collisions and agricultural damage, while also keeping regulations consistent across Bland, Russell, Scott, and Tazewell.

Washington. The private land deer population index has steadily increased in Washington since 2010 with a more significant increasing trend since 2015. The population objective (moderate) has not been met since 2019 and has trended even higher into the moderate/high range since 2022. While census data shows stable human population densities, deer vehicle collisions have increased to a reported high of 109 in 2023. Agricultural damage complaints are also consistently high in this area. The increase to full season

either-sex firearms opportunity should assist in reducing the population to meet the stated management objective.

Westmoreland. The private land deer population index is currently being met (moderate) but trending higher towards moderate/high. While deer vehicle collisions do not show significant trends, census data shows a moderately increasing human population with increased development in this area in recent years. Increasing either-sex opportunities to full season should assist in continuing to meet the current population objective, while also keeping regulations consistent throughout the Northern Neck.

Wise. During the 2024 regulation scoping public comment period, a large number of comments came from the coalfield region of Virginia asking for the opportunity to take antlerless deer during the firearms deer season. Wise has had buck only hunting during the firearms season throughout its history due to historically low deer densities, with the exception of a single either-sex day from 1993-1994. With increased habitat management efforts on private and public lands in this region, deer populations are rebounding. While Wise is meeting its population objective (moderate), it is trending to the higher end of this objective. Starting conservatively with a single either-sex day during the firearms seasons should allow increased opportunity as requested by constituents in this area while still meeting the management objective as prescribed by the current deer plan.

Public Lands

Amelia. Local staff recommends increasing either-sex firearms days on the Amelia Wildlife Management Area to match those provided on Powhatan WMA. Hunting pressure seems to be reduced in recent years on the WMA, allowing for the addition of one more week of either-sex opportunity to continue to meet management objectives on the WMA.

Cumberland: Local DWR and DOF staff recommend increasing either-sex firearms days on the Cumberland State Forest by adding one additional Saturday of opportunity. This recommendation aligns with the recommended increase of either-sex days on private lands in Cumberland due to an increasing deer population index. The addition of a single Saturday within the middle of the season is recommended to allow increased antlerless harvest opportunity but avoid the end of the season, which typically sees a substantial increase in hunting pressure on this area.

Dickenson: Due to the recommended addition of a single either-sex firearms day on private lands in Dickenson County, the public lands now are listed separately (National Forest lands) as antlered buck only, no antlerless opportunities. In the previous version of this regulation, private and public lands were together as they were both buck only with no antlerless opportunities during the firearms season. There is no recommended change to either-sex days on public lands in Dickenson County at this time.

Highland: Local staff recommends increasing either-sex firearms days on the Highland Wildlife Management Area to match those on private lands in Highland County. This recommendation to add a single additional day (Friday) will allow increased opportunity while distributing hunting pressure and continuing to meet management objectives.

Franklin/Henry. Local staff recommends increasing either-sex firearms days on Turkeycock WMA by adding a single additional Saturday. This proposal should allow increased opportunity while distributing hunting pressure and continuing to meet management objectives.

Pittsylvania. Local staff recommends increasing either-sex firearms days on White Oak Mountain WMA by adding a single additional Saturday. This proposal should allow increased opportunity while distributing hunting pressure and continuing to meet management objectives.

Wise: Due to the recommended addition of a single either-sex firearms day on private lands in Wise County, the public lands now are listed separately (National Forest lands) as antlered buck only, no antlerless opportunities. In the previous version of this regulation, private and public lands were together as they were both buck only with no antlerless opportunities during the firearms season. There is no recommended change to either-sex days on public lands in Wise County at this time.

4 VAC 15-90-530

Game: Deer: Special elk hunting license, random drawing license program.

Summary:

The recommendation is to (i) omit details about applications and drawing of alternates and (ii) provide more flexibility in considering wildlife violations for awarding an opportunity to purchase a special elk hunting license.

Recommended language of amendment:

4VAC15-90-530. Special elk hunting license, random drawing license program.

A. The dates for the ~~annual~~ application period to enter the random drawing for a special elk hunting license shall be published by the department ~~annually~~ and ~~shall be~~ no less than 30 days in duration. Individuals selected for special elk hunting licenses via the random drawing shall be notified no less than 60 days prior to the start of the elk hunt, and special elk hunting licenses must be purchased from the department within 30 days of notification.

~~B. To enter the random drawing for a special elk hunting license, applicants shall:~~

- ~~1. Complete the application for a special elk hunting license as provided by the department.~~
- ~~2. Pay a nonrefundable application fee.~~
- ~~3. Apply only once for each random drawing.~~

C. Nonresidents shall not comprise more than 10%, or one drawn applicant, whichever is greater, of all drawn applicants in any application pool for the random drawing license program.

D. Applicants who physically reside within the Elk Management Zone shall comprise no less than 10%, or a minimum of one, whichever is greater, of all drawn applicants in any application pool for the random drawing license program.

E. A special elk hunting license awarded through the Random Drawing License Program shall not be transferable.

F. An applicant drawn for a special elk hunting license may be rejected if it is determined that the applicant has ~~a hunting license revocation at the time they are drawn~~, been convicted of ~~two~~ ~~one~~ or more wildlife violations within ~~three-five~~ years prior to the last date of the application period, ~~or convicted of one or more violations involving elk~~. In determining an applicant's eligibility, the ~~director~~ Department shall take into account the nature and severity of the violations.

~~G. The department will award unclaimed special elk hunting licenses to alternates who are drawn~~

~~during the initial application and draw period in the order that the alternates are drawn.~~

Rationale:

This regulation was written before the elk hunt in the Elk Management Zone started and there was a greater desire to have details outlined in regulation to eliminate uncertainty and provide assurances for a new hunt. Now that the hunt is coming upon its fourth year, there is much more certainty in how the process moves forward and a greater desire to streamline the regulation. The proposed omission of details involving the basic rules for submitting applications and the process for drawing alternates are all details that can be included in Department guidance documents or policies. Many of these details are already included on the Elk Lottery webpage.

The proposed amendment to the subsection involving wildlife violations serves two purposes: simplifying the language and allowing the Department the appropriate flexibility in being able to take into account wildlife violations for those drawn in the elk lottery. Elk hunting is an extremely limited and highly sought after opportunity that the Commonwealth offers. Not considering previous wildlife violations committed by potential elk license holders would be a disservice to all the law-abiding hunters who apply for the elk lottery and to those landowners who open their properties for elk license holders to hunt on.

4 VAC 15-90-540

Game: Deer: Special elk hunting license, Landowner License Program.

Summary:

The recommendation is to (i) omit details on the following: applications, point accrual, point system, license draw, and stipulations on lands eligible to be hunted with a landowner license, and (ii) provide more flexibility in considering wildlife violations in awarding an opportunity to purchase a special elk hunting license.

Recommended language of amendment:

4VAC15-90-540. Special elk hunting license, Landowner License Program.

A. Upon receipt of a valid Landowner License Program application from a landowner within the Elk Management Zone, the director or the director's designee shall verify the application materials and have sole discretion in enrolling the property in the Landowner License Program. The application deadline shall be published by the department **annually** no less than 30 days prior to the deadline.

~~B. A valid Landowner License Program application shall include:~~

- ~~1. Landowner's name, home address, telephone number, and address of the property to be enrolled in the program.~~
- ~~2. A recorded survey or other legal documentation certifying the acreage and ownership of the property to be enrolled.~~
- ~~3. Original signature of the landowner.~~
- ~~4. Only a single application per license year, per landowner.~~

C. Landowners enrolled in the Landowner License Program maintain the right to limit access to certain areas of the property for safety or privacy reasons. ~~Areas of limited access must be outlined in the initial application.~~ Enrollment in the Landowner License Program does not preclude or limit in any way the landowner from allowing other hunting or other hunters on the property.

D. The department shall determine and make available to the public a program guidance document outlining how landowners enrolled in the Landowner License Program shall accrue points toward a special elk hunting license, the number of points necessary to be awarded such license, ~~a list of criteria by which applications and associated properties will be evaluated for enrollment in the program,~~ and other program requirements. The program guidance document will be published **annually** no less than 30 days prior to the application deadline.

E. Landowners who accrue the necessary number of points, as defined in the program guidance document, on an enrolled property may enter a landowner lottery for a special elk hunting license. ~~Once a special elk hunting license is awarded through the lottery, the landowner loses all~~

~~accrued points. There is no time limit over which a landowner is required to accrue license points. Landowners shall not combine points from separate enrolled properties.~~

F. Landowners enrolled in the Landowner License Program shall not subdivide contiguous properties under the same ownership into multiple, smaller parcels for the purposes of this program.

G. License points cannot be sold or traded. License points are nontransferable if the property changes ownership, except that if the property is inherited from parents, grandparents, or children, resident or nonresident, license points may be transferred. The department may request documentation to certify the relationship between seller and purchaser as well as a copy of bill of sale.

H. Landowners receiving a special elk hunting license shall comply with all of the requirements established in this section as well as 4VAC15-90-510, 4VAC15-90-520, and § 29.1-305.01 of the Code of Virginia. Landowners who fail to comply with this chapter may forfeit any accrued license points and may not be eligible to accrue new license points.

~~I. A special elk hunting license awarded to the landowner shall only be used on the property enrolled with the department in the Landowner License Program.~~

~~J. A landowner may transfer the special elk hunting license to any person eligible to hunt in Virginia. The special elk hunting license may not be sold. Transfer of the special elk hunting license must be reported to the department no less than one month prior to the opening day of the elk hunting season during the year in which the special elk hunting license is awarded. To report a transfer to the department, the landowner shall provide the department with the hunter's:~~

- ~~1. Name;~~
- ~~2. Department customer identification number;~~
- ~~3. Address; and~~
- ~~4. Telephone number.~~

K. A landowner shall not charge a fee for hunters to hunt elk on properties enrolled in the Landowner License Program ~~except as described in the program guidance document.~~

L. A special elk hunting license transferee may be rejected if it is determined that the transferee has a hunting license revocation at the time they are drawn, been convicted of ~~two~~ one or more wildlife violations within ~~three~~ five years prior to the last date of the application period, or convicted of one or more violations involving elk. In determining the transferee's eligibility, the ~~director~~ Department shall take into account the nature and severity of the violations.

Rationale:

This regulation was brought forth before the elk hunt in the Elk Management Zone started and there was a greater desire to have details outlined in regulation to eliminate uncertainty

associated with a new hunt and program. Now that the hunt is coming upon its fourth year, there is much more certainty in how the process moves forward and a greater desire to streamline the regulation. The proposed omission of details involving applications, point accrual, point system, license draw, and stipulations on lands eligible to be hunted with a landowner license are all details that can be included in Department guidance documents or policies. Much of this information is already contained on the Elk Landowner License Program webpage. Similar programs that the Department administers, such as DMAP, DCAP, and DPOP are not detailed in regulation.

The proposed amendment to the subsection involving wildlife violations serves two purposes: simplifying the language and allowing the Department the appropriate flexibility in being able to take into account wildlife violations for those drawn in the landowner lottery. Elk hunting is an extremely limited and highly sought after opportunity that the Commonwealth offers. Not considering previous wildlife violations committed by potential elk license holders would be a disservice to all the law-abiding hunters who apply for the elk lottery and to those landowners who open their properties for elk license holders to hunt on.

4 VAC 15-90-550

Game: Deer: Special elk hunting license, Conservation License Program.

Summary:

The recommendation is to (i) omit details on applications, process for transferring the special elk hunting license, and agreements or documentation required from the organization, (ii) specify that raffle proceeds must be spent on elk conservation or elk-related recreation projects, and (iii) provide more flexibility in considering wildlife violations in awarding an opportunity to purchase a special elk hunting license.

Recommended language of amendment:

4VAC15-90-550. Special elk hunting license, Conservation License Program.

A. For the purposes of this section, the following words or terms shall have the following meanings, unless the context clearly indicates otherwise:

"Individual, cooperators, or wildlife conservation organizations" means those people or entities whose mission is to promote and ensure the conservation of Virginia's wildlife resources or to promote opportunities for hunting, fishing, trapping, boating, or other wildlife-related recreation within Virginia.

"Proceeds" means the amount of money received by the cooperator or organization from the transfer of a reserved special elk hunting license minus all expenses, including the fees associated with the license, and administrative costs directly attributable to the transfer of the permit or the implementation of the defined project.

B. Upon receipt of a valid Conservation License Program application from an officer or other designated official representative of any individual, cooperator, or wildlife conservation organization, the director or the director's designee shall verify the application materials and may select a program awardee annually. ~~Applications must be received or postmarked no later than April 1 to be eligible for the Conservation License Program during that calendar year.~~

~~C. A valid Conservation License Program application shall include:~~

~~1. Cooperator or organization name, name of the individual designated to submit and receive official correspondence, address for such correspondence, and a telephone number.~~

~~2. Cooperator or organization mission statement.~~

~~3. A written application describing:~~

~~a. Cooperator or organization role in wildlife conservation in Virginia.~~

~~b. Cooperator or organization purpose and intent for requesting a reserved special elk hunting license through the Conservation License Program.~~

~~c. Cooperator or organization proposal for method of generating funds from transfer of the reserved special elk hunting license to an eligible individual.~~

~~d. Cooperator or organization strategy to direct proceeds received from the transfer of the reserved special elk hunting license and any matching funding toward wildlife conservation or wildlife-related recreation in Virginia's Elk Management Zone.~~

D. The director shall establish a Conservation License Program Committee to review program applications and submit a recommendation to the director to reserve no more than one special elk hunting license for a cooperator or organization whose application is deemed to provide the greatest benefit to elk wildlife conservation and elk wildlife-related recreation in Virginia per license year. This committee shall be composed of a minimum of three individuals and make a recommendation to the director ~~by May 1~~ each year.

E. A cooperator or organization receiving a reserved special elk hunting license must direct all proceeds from the transfer of such reservation, toward a project to improve and enhance elk wildlife habitat, elk wildlife populations, or elk wildlife-related recreation within the Elk Management Zone. ~~The proposed strategy and requirements will be outlined in a memorandum of agreement between the department and the cooperator or organization.~~

F. In coordination with the Department, a ~~A~~ cooperator or organization may transfer the reserved special elk hunting license to any person eligible to hunt in Virginia. The generation of funds from the transfer of the reserved special elk hunting license may only be conducted through a raffle.

~~G. Transfer of the reserved special elk hunting license must be reported to the department no less than one month prior to the opening day of the elk hunting season during which the special elk hunting license is valid. To report a transfer to the department, the cooperator or organization shall provide the department with the hunter's:~~

~~1. Name;~~

~~2. Department customer identification number;~~

~~3. Address; and~~

~~4. Telephone number.~~

H. A special elk hunting license transferee may be rejected if it is determined that the transferee has a hunting license revocation at the time they are drawn, been convicted of ~~two~~ one or more wildlife violations within ~~three~~ five years prior to the last date of the application period, or convicted of one or more violations involving elk. In determining the transferee's eligibility, the ~~director~~ Department shall take into account the nature and severity of the violations.

~~I. A cooperator or organization that receives a reserved special elk hunting license shall submit~~

~~an annual report to the department regarding any proceeds received from the transfer of the reserved license and an accounting of how those funds were directed toward wildlife conservation or wildlife-related recreation in the Elk Management Zone.~~

Rationale:

This regulation was brought forth before the elk hunt in the Elk Management Zone started and there was a greater desire to have details outlined in regulation to eliminate uncertainty associated with a new hunt and program. Now that the hunt is coming upon its fourth year, there is much more certainty in how the process moves forward and a greater desire to streamline the regulation. The proposed omission of details involving the rules for submitting applications, required components of applications, requirements for an organization to award the reserved special elk hunting license, and agreements and documentation required from the organization are all details that can be included in Department guidance documents or policies. Many of these details are already included on the Elk Conservation License Program webpage.

The proposed language change from *wildlife* conservation or *wildlife*-related recreation to *elk* conservation or *elk*-related recreation projects is necessary because there is no consistent or long-term funding mechanism for the elk program and all the work required for it, such as habitat improvement, land access, etc. The Elk Conservation License Program is a wonderful opportunity to provide an organization with a great incentive (special elk hunting license) for people to spend money that will be directed towards projects that help elk populations and the elk hunt itself. The previous three projects executed through the Elk Conservation License Program have all been elk-focused but have improved habitat for many wildlife species. All of the general elk lottery application revenue goes to the Department's general fund and not to the elk program.

The proposed amendment to the subsection involving wildlife violations serves two purposes: simplifying the language and allowing the Department the appropriate flexibility in being able to take into account wildlife violations for those drawn in the elk lottery. Elk hunting is an extremely limited and highly sought after opportunity that the Commonwealth offers. Not considering previous wildlife violations committed by potential elk license holders would be a disservice to all the law-abiding hunters who apply for the elk lottery and to those landowners who open their properties for elk license holders to hunt on.

Bear Regulations

4 VAC 15-50-11

Game: Bear: Open season; generally.

Summary:

The recommendation is to remove 25 days from the bear open season in 24 counties, primarily located in the northwestern portion of the state where sarcoptic mange is endemic.

Recommended language of amendment:

4VAC 15-50-11. Open season; generally.

A. It shall be lawful to hunt bears in the following localities, including the cities and towns therein, during the following seasons:

Location	Season
Accomack County	Closed
Albemarle County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Alleghany County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Amelia County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Amherst County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Appomattox County	Friday following the fourth Monday <u>in November and for two consecutive days following; and 12 days immediately prior to and including nearest December 2 through</u> the first Saturday in January, both dates inclusive.
Arlington County	The fourth Monday in November through the first Saturday in January, both dates inclusive.
Augusta County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Bath County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Bedford County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Bland County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Botetourt County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.

Brunswick County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Buchanan County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Buckingham County	<u>Friday following the fourth Monday in November and for two consecutive days following; and 12 days immediately prior to and including nearest December 2 through</u> the first Saturday in January, both dates inclusive.
Campbell County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Caroline County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Carroll County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Charles City County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Charlotte County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Chesapeake (City of)	October 1 through the first Saturday in January, both dates inclusive.
Chesterfield County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Clarke County	<u>Friday following</u> the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Craig County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Culpeper County	<u>Friday following</u> the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Cumberland County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Dickenson County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Dinwiddie County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Essex County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Fairfax County	The fourth Monday in November through the first Saturday in January, both dates inclusive.
Fauquier County	<u>Friday following</u> the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.

Floyd County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Fluvanna County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Franklin County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Frederick County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Giles County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Gloucester County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Goochland County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Grayson County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Greene County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Greensville County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Halifax County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Hanover County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Henrico County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Henry County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Highland County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Isle of Wight County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
James City County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
King and Queen County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
King George County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
King William County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Lancaster County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.

Lee County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Loudoun County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Louisa County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Lunenburg County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Madison County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Mathews County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Mecklenburg County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Middlesex County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Montgomery County (Southeast of I-81)	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Montgomery County (northwest of I-81)	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Nelson County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
New Kent County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Northampton County	Closed
Northumberland County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Nottoway County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Orange County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Page County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Patrick County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Pittsylvania County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Powhatan County	Fourth Monday in November through the first Saturday in January, both dates inclusive.

Prince Edward County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Prince George County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Prince William County	The fourth Monday in November through the first Saturday in January, both dates inclusive.
Pulaski County (southeast of I-81)	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Pulaski County (northwest of I-81)	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Rappahannock County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Richmond County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Roanoke County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Rockbridge County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Rockingham County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Russell County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Scott County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Shenandoah County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Smyth County (southeast of I-81)	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Smyth County (northwest of I-81)	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Southampton County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Spotsylvania County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Stafford County	The fourth Monday in November through the first Saturday in January, both dates inclusive.
Suffolk (City of)	October 1 through the first Saturday in January, both dates inclusive.

Surry County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Sussex County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Tazewell County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Virginia Beach (City of)	October 1 through the first Saturday in January, both dates inclusive.
Warren County	Friday following the fourth Monday in November <u>and for two consecutive days following; and 12 days immediately prior to and including through</u> the first Saturday in January, both dates inclusive.
Washington County (southeast of I-81)	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Washington County (northwest of I-81)	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Westmoreland County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Wise County	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
Wythe County (southeast of I-81)	Monday nearest December 2 through the first Saturday in January, both dates inclusive.
Wythe County (northwest of I-81)	Monday following the last Saturday in September and for two days following; and the fourth Monday in November through the first Saturday in January, both dates inclusive.
York County	Monday nearest December 2 through the first Saturday in January, both dates inclusive.

Rationale:

This recommendation addresses population objectives from the 2023-2032 Bear Management Plan which call for stabilizing populations (at 2020 levels) for the 24 counties (Zones 4, 5, 8, 9, and 10) outlined in this recommendation. Recent analyses for these zones indicate bear population declines likely due to multiple factors, including mortality from sarcoptic mange, high female harvest levels intended to reduce populations, poor mast production over the last decade, and increasing bear-vehicle collisions. Reducing female bear harvest, the primary tool within DWR’s control, will be critical for stopping and reversing these declines.

Harvest data, conflict reports, sarcoptic mange reports, partner agency data, and constituent observations suggest that bear populations in Zones 4, 5, 8, 9, and 10 have declined significantly in recent years. The impacts of multiple factors noted above are currently being studied through a large-scale research project with Virginia Tech. While sarcoptic mange has not been documented in other states to cause bear population impacts, the magnitude of cases and severity, coupled with additional mortality factors, appears to be causing at least localized population declines in severely impacted zones. Sarcoptic mange has been present in Zones 5 and 9 (Frederick, Warren,

Madison, Page, Rappahannock) since 2017 or before and has spread to surrounding areas, with high numbers of reports in zones 4 and 8 (Botetourt, Rockbridge, Augusta, Nelson) in recent years. While sarcoptic mange mortality rates are unknown currently in Virginia, approximately 30% of all mange reports result in the death of the reported bear due to extremely poor condition and/or secondary complications.

Research is ongoing across the eastern United States to learn more about sarcoptic mange, both the disease itself and the impacts on species such as bears. Currently, there are no effective treatments or preventative measures that can be used safely and effectively on wildlife. Thus, while reducing mange mortality is difficult, reducing female harvest mortality through regulation amendments is a step in combating the current population declines. Female productivity (reproductive rates) is likely impacted for multiple years following a mange infestation due to poor body condition and lack of sufficient resources to successfully raise cubs. While direct impacts of mange (death of the bear) are important, indirect impacts such as reproduction potential are also important for population recovery.

The timing of harvest seasons impact female bear harvest rates. Earlier seasons typically result in higher female harvests since sows are still on the landscape in search of food prior to denning. Later seasons (mid-December onward) generally result in lower female harvests as those bears will enter a den either to produce cubs or to conserve resources during winter. While archery and muzzleloader seasons harvest a high percentage of females (5-year average of 42.4%), the firearms season harvests the highest number of females (5-year average of 49.6%) due to the popularity of this season. Hence, while all three seasons are recommended for reductions (see also 4VAC15-50-70 and 4VAC15-50-71), this firearms season reduction recommendation is relatively significant to account for the higher harvest rates during this season.

These three season recommendations are collectively intended to reduce sow mortality by 50-75% across all bear seasons and within each of the primary season opportunities: archery, muzzleloader, firearms without dogs, and firearms with dogs. Such reductions are necessary at this time because (1) declines in bear populations in these zones are expected to continue without a change in management strategy, and (2) mortality rates from sarcoptic mange are unknown until results from ongoing research are obtained. These recommendations retain diverse forms of bear hunting recreation and allocate harvests as equitably as possible, in accordance with the 2023-2032 Bear Management Plan. Once monitoring reveals that populations have reached adequate recovery levels, DWR intends to re-instate harvest seasons as soon as possible thereafter.

To continue providing as much recreational opportunity as possible during reduced harvest seasons, hunters will still be able to chase bears with dogs in these zones, concurrent with the regular open season dates that have allowed the use of hounds. This provision, to be accomplished via a modification to 4VAC15-50-120, will help alleviate shifts in hunting pressure to adjoining counties where bear seasons are not being reduced while also limiting potential user conflicts of users in new areas, particularly those with limited public land access. The ability for hunters to continue chasing bears during this time may also assist the Department in monitoring incidents of sarcoptic mange and bear status in these reduced harvest zones.

4 VAC 15-50-70

Game: Bear: Archery hunting.

Summary:

The recommendation is to (i) remove 14 days from the bear archery season in 24 counties, primarily located in the northwestern portion of the state where sarcoptic mange is endemic and (ii) clarify language regarding the “carry” of firearms during the archery season for bear to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of amendment:

4VAC15-50-70. Archery hunting.

A. It shall be lawful to hunt bear during the special archery season with archery equipment from the first Saturday in October through the Friday prior to the third Monday in November, both dates inclusive, except in the localities listed in subsection B.

B. It shall be lawful to hunt bear during the special archery season with archery equipment from the third Saturday in October through the Friday prior to the third Monday in November, both dates inclusive, in the following counties, including the cities and towns within: Albemarle, Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Botetourt, Buckingham, Clarke, Culpeper, Fauquier, Frederick, Greene, Highland, Loudoun, Madison, Nelson, Page, Rappahannock, Rockbridge, Rockingham, Shenandoah, and Warren.

BC. It shall be unlawful to ~~carry~~ use firearms to hunt any game species while hunting with archery equipment during the special archery seasons, except that hunters 15 years of age and under and apprentice hunters may ~~be in possession of~~ use firearms to hunt for bear while hunting on youth and apprentice hunter bear hunting weekend as authorized by 4VAC15-50-12 and except that a muzzleloading gun, as defined in 4VAC15-50-71, may be ~~in the possession of~~ used by a properly licensed muzzleloading gun hunter when and where the early special archery bear season overlaps the early special muzzleloading bear season.

CD. It shall be unlawful to use dogs when hunting with archery equipment during the special archery season, except that hounds may be used by hunters participating in the youth and apprentice hunter bear hunting weekend in areas as defined in 4VAC15-50-12, and that tracking dogs as described in § 29.1-516.1 of the Code of Virginia may be used.

Rationale:

- (i) To address significant bear population declines in Zones 4, 5, 8, 9, and 10, bear archery, muzzleloader, and firearms (open) seasons are recommended for reduction. This recommended season package will retain diverse forms of bear hunting recreation and allocate harvests as equitably as possible, in accordance with the 2023-2032 Bear Management Plan. For more details, please refer to the rationale provided under the bear open season regulation recommendation (4VAC15-50-10).
- (ii) It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear

arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

4 VAC 15-50-71

Game: Bear: Muzzleloading gun hunting.

Summary:

The recommendation is to (i) remove 3 days from the bear muzzleloader season in 24 counties, primarily located in the northwestern portion of the state where sarcoptic mange is endemic, (ii) update the definitions of muzzleloading rifles and revolvers to better reflect the muzzleloading firearms applicable to the muzzleloading season, and (iii) clarify language regarding the “carry” of firearms during the muzzleloading season for bear to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of amendment:

4VAC15-50-71. Muzzleloading gun hunting.

A. It shall be lawful to hunt bears during the special muzzleloading season with muzzleloading guns from the Saturday prior to the second Monday in November through the Friday prior to the third Monday in November, both dates inclusive, except in the Cities of Chesapeake, Suffolk, and Virginia Beach, except in the localities listed in subsection B.

B. It shall be lawful to hunt bear during the special muzzleloading season with muzzleloading guns from the Tuesday following the second Monday in November through the Friday prior to the third Monday in November, both dates inclusive, in the following counties, including the cities and towns within: Albemarle, Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Botetourt, Buckingham, Clarke, Culpeper, Fauquier, Frederick, Greene, Highland, Loudoun, Madison, Nelson, Page, Rappahannock, Rockbridge, Rockingham, Shenandoah, and Warren.

BC. It shall be unlawful to hunt bear with dogs during any special season for hunting with muzzleloading guns, except that tracking dogs as defined in § 29.1-516.1 of the Code of Virginia may be used.

CD. Muzzleloading guns, for the purpose of this section, include:

1. ~~Single-shot muzzleloading~~ Muzzleloading rifles (one or more barrels).40 caliber or larger, firing a single projectile or sabot (with a .35 caliber or larger projectile) where the projectile is loaded from the muzzle;
2. Muzzleloading shotguns (one or more barrels) not larger than 10 gauge where the projectiles are loaded from the muzzle;
3. Muzzleloading pistols (one or more barrels) .45.44 caliber or larger, firing a single projectile or sabot (with a .35 caliber or larger projectile) per barrel where the propellant and projectile are loaded from the muzzle; and
4. Muzzleloading revolvers .45 caliber or larger, firing a single projectile or sabot (with a .35 caliber or larger projectile) per cylinder where the propellant and projectile are loaded from the forward end of the cylinder.

~~DE~~. It shall be unlawful to ~~have in immediate possession~~ hunt bear with any firearm other than a muzzleloading gun ~~while hunting with a muzzleloading gun in a~~ during the special muzzleloading bear season.

Rationale:

- (i) To address significant bear population declines in Zones 4, 5, 8, 9, and 10, bear archery, muzzleloader, and firearms (open) seasons are recommended for reduction. This recommended season package will retain diverse forms of bear hunting recreation and allocate harvests as equitably as possible, in accordance with the 2023-2032 Bear Management Plan. For more details, please refer to the rationale provided under the bear open season regulation recommendation (4VAC15-50-10).
- (ii) The current regulation language indicates that muzzleloading rifles must be a single shot weapon. However, double barrel muzzleloading rifles are manufactured, and it isn't the Department's intent to preclude double barreled muzzleloaders from being used during the special muzzleloading season. Further, muzzleloading revolvers shooting a .45 caliber projectile are routinely sold as .44 caliber muzzleloading revolvers, causing confusion regarding whether a .44 caliber muzzleloading revolver meets the regulatory requirement for use during the special muzzleloader season. The recommendation will bring the regulation language in line with the department's intent of allowing double barreled muzzleloading rifles to be used during and clarifying that a .44 caliber muzzleloading revolver is a legal weapon for the special muzzleloading season.
- (iii) It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

4 VAC 15-50-120

Game: Bear: Bear hound training season.

Summary:

The recommendation is to (i) shift the opening day of the bear hound training season from August 1st to July 15th in all or portions of 20 counties in southwestern Virginia where this season currently applies; (ii) add three days after the end of the bear hound training season in 18 counties in northwestern Virginia where the 3-day early season was removed during 2023; (iii) provide the opportunity to chase bears with dogs, without harvesting, during 18 days of the bear open season that has been removed in 23 counties, primarily located in the northwestern portion of the state where sarcoptic mange is endemic; (iv) ensure that dates for training season in Appomattox and Buckingham counties do not conflict with recommended changes for the open season; and (v) clarify language regarding the “carry” of firearms during the bear hound training season to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of amendment:

4 VAC 15-50-120. Bear hound training season.

A. It shall be lawful to chase black bear with dogs, without capturing or taking, from July 15 through the last Saturday in September, both dates inclusive, in the Counties of Bland, Buchanan, Carroll, Craig, Dickenson, Floyd, Franklin, Giles, Grayson (east of Route 16), Lee, Montgomery, Pulaski, Roanoke (west of I 81), Russell, Scott, Smyth (except for the part southeast of I 81 and west of State Route 16), Tazewell, Washington (northwest of I 81), Wise, and Wythe.

~~A-B.~~ It shall be lawful to chase black bear with dogs, without capturing or taking, from August 1 through the last Saturday in September, both dates inclusive, in the Counties of Albemarle, Alleghany, Amherst, Augusta, Bath, Bedford, ~~Bland~~, Botetourt, Brunswick, ~~Buchanan, Carroll, Charlotte, Craig, Culpeper, Dickenson, Floyd, Franklin, Giles, Grayson (east of Route 16), Greene, Greensville, Highland, Lee, Lunenburg, Madison, Mecklenburg, Montgomery, Nelson, Page, Pulaski, Rappahannock, Roanoke (west of I 81), Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth (except for the part southeast of I 81 and west of State Route 16), Tazewell, Warren, Washington (northwest of I 81), Wise, and Wythe~~ and in the Cities of Chesapeake, Suffolk, and Virginia Beach.

C. It shall be lawful to chase black bear with dogs, without capturing or taking, from the Monday following the last Saturday in September and for two days following, both dates inclusive, in the Counties of Albemarle, Alleghany, Amherst, Augusta, Bath, Bedford, Botetourt, Culpeper, Greene, Highland, Madison, Nelson, Page, Rappahannock, Rockbridge, Rockingham, Shenandoah, and Warren.

~~B-D.~~ It shall be lawful to chase black bear with dogs, without capturing or taking, from the Saturday prior to the third Monday in November and for 14 days following, both dates inclusive, in the Counties of Amelia, ~~Appomattox, Buckingham~~, Brunswick, Campbell (east of the Norfolk Southern Railroad), Charles City, Charlotte, Cumberland, Dinwiddie, Essex, Gloucester, Greensville, Halifax, Isle of Wight, James City, King and Queen, King George, King William,

Lancaster, Lunenburg, Mathews, Mecklenburg, Middlesex, New Kent, Northumberland, Nottoway, Pittsylvania (east of the Norfolk Southern Railroad), Prince Edward, Prince George, Richmond, Southampton, Surry, Sussex, Westmoreland, and York.

E. It shall be lawful to chase black bear with dogs, without capturing or taking from the Saturday prior to the third Monday in November and for 12 days following, both dates inclusive, in the counties of Appomattox and Buckingham.

F. It shall be lawful to chase black bear with dogs, without capturing or taking, from the Monday nearest December 2 and for 19 days following, excluding Sundays, in the counties of Albemarle, Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Botetourt, Buckingham, Clarke, Culpeper, Fauquier, Frederick, Greene, Highland, Madison, Nelson, Page, Rappahannock, Rockbridge, Rockingham, Shenandoah, and Warren.

~~EG. It shall be unlawful to have in possession a use for the purpose of taking a bear any~~ firearm, bow, crossbow, or any weapon capable of taking a black bear while participating in the bear hound training season. ~~The meaning of "possession" for the purpose of this section shall include having a firearm, bow, crossbow, or any weapon capable of taking a black bear in or on one's person, vehicle, or conveyance.~~

Rationale:

- (i & ii) Given the large impact of the amendments to the open bear season regulation (4VAC15-50-11) upon firearms bear hunters using hounds, many of whom hunt for bears exclusively, the Director suggests that the Board may wish to consider providing hound training opportunities in addition to those identified above (which are limited to the time period currently occupied by the open bear season). This includes the reinstatement of the former three-day September bear hunting season on a chase-only basis in those western localities where the open bear season is proposed to be reduced, and the addition of two weeks (beginning July 15 instead of the current August 1) to the beginning of the bear hound training season in those western counties where the open bear season is not recommended to be reduced. Notably, only 11 complaints were filed statewide during the 2024 bear hound training season, with just two of these being from the region where a July 15 start date is suggested. Additional chase season in this region during this time may also increase opportunities for hunters to work with landowners desiring non-lethal assistance with agricultural concerns that have been voiced specifically in this region, as available data does not suggest that an increase in harvest is advisable.
- (iii) Amendments to the open bear season regulation (4VAC15-50-11) resulted in the removal of 25 bear firearms hunting days in certain areas. On 18 of those days removed, hounds could be used to hunt bear in 23 counties. To continue providing as much recreational opportunity as possible during the reduced firearms season without impacting bear populations, this recommendation will enable hunters to chase bears with hounds, without harvesting them, in these counties, concurrent with the regular open season dates that have allowed the use of hounds. These recommendations will also help alleviate shifts in hunting pressure to adjoining counties where bear seasons are not being reduced while also limiting potential user conflicts of users in new areas, particularly those with

limited public land access. The ability for hunters to continue chasing bears during this time may also assist the Department in monitoring incidents of sarcoptic mange and bear status in these reduced harvest zones.

- (iv) For consistency in seasons across mange affected zones, the open season recommendation (4VAC15-50-11) will provide three additional days of firearms bear season in Appomattox and Buckingham counties, the last two of which will allow the use of dogs. Therefore, a modification of subsections B and C is necessary so that the chase regulation is not counter to the open season regulation on those two days that overlap.
- (v) It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

General Regulations

4VAC 15-20-50

Department of Wildlife Resources: Definitions and Miscellaneous: In General: Definitions; "wild animal," "native animal," "naturalized animal," "nonnative (exotic) animal," and "domestic animal".

Summary:

The recommendation is to eliminate the requirement that a written declaration for the possession of domesticated red foxes with a coat color distinguishable from wild red foxes and wild European rabbits be renewed every 5 years.

Recommended language of amendment:

4VAC15-20-50. Definitions; "wild animal," "native animal," "naturalized animal," "nonnative (exotic) animal," and "domestic animal".

A. In accordance with § 29.1-100 of the Code of Virginia, the following terms shall have the meanings ascribed to them by this section when used in regulations of the board:

"Native animal" means those species and subspecies of animals naturally occurring in Virginia, as included in the department's 2024 "List of Native and Naturalized Fauna of Virginia," with copies available in the headquarters and regional offices of the department.

"Naturalized animal" means those species and subspecies of animals not originally native to Virginia that have established wild, self-sustaining populations, as included in the department's 2024 "List of Native and Naturalized Fauna of Virginia," with copies available in the headquarters and regional offices of the department.

"Nonnative (exotic) animal" means those species and subspecies of animals not naturally occurring in Virginia, excluding domestic and naturalized species.

The following animals are defined as domestic animals:

Domestic dog (*Canis familiaris*), including wolf hybrids.

Domestic cat (*Felis catus*), including hybrids with wild felines.

Domestic horse (*Equus caballus*), including hybrids with *Equus asinus*.

Domestic ass, burro, and donkey (*Equus asinus*).

Domestic cattle (*Bos taurus* and *Bos indicus*).

Domestic sheep (*Ovis aries*), including hybrids with wild sheep.

Domestic goat (*Capra hircus*).

Domestic swine (*Sus scrofa*), including pot-bellied pig and excluding any swine that are wild or for which no claim of ownership can be made.

Llama (*Lama glama*).

Alpaca (*Lama pacos*).

Camels (*Camelus bactrianus* and *Camelus dromedarius*).

Domesticated races of hamsters (*Mesocricetus* spp.).

Domesticated races of mink (*Mustela vison*) where adults are heavier than 1.15 kilograms or their coat color can be distinguished from wild mink.

Domesticated races of guinea pigs (*Cavia porcellus*).

Domesticated races of gerbils (*Meriones unguiculatus*).

Domesticated races of chinchillas (*Chinchilla laniger*).

Domesticated races of rats (*Rattus norvegicus* and *Rattus rattus*).

Domesticated races of mice (*Mus musculus*).

Domesticated breeds of European rabbit (*Oryctolagus cuniculus*) recognized by the American Rabbit Breeders Association, Inc. and any lineage resulting from crossbreeding recognized breeds. A list of recognized rabbit breeds is available on the department's website.

Domesticated races of chickens (*Gallus*).

Domesticated races of turkeys (*Meleagris gallopavo*).

Domesticated races of ducks and geese distinguishable morphologically from wild birds.

Feral pigeons (*Columba domestica* and *Columba livia*) and domesticated races of pigeons.

Domesticated races of guinea fowl (*Numida meleagris*).

Domesticated races of peafowl (*Pavo cristatus*).

Domesticated morphs of red cornsnake (*Pantherophis guttatus*) visibly distinguishable from native red cornsnakes based on their unique colors and patterns.

"Wild animal" means any member of the animal kingdom, except domestic animals, including any native, naturalized, or nonnative (exotic) mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod, or other invertebrate and any hybrid of these animals, except as otherwise specified in regulations of the board, or part, product, egg, or offspring of them, or the dead body or parts thereof.

B. Exception for red foxes and European rabbits. Domesticated red foxes (*Vulpes vulpes*) having coat colors distinguishable from wild red foxes and wild European rabbits possessed in captivity on July 1, 2017, may be maintained in captivity until the animal dies, but the animal may not be bred or sold without a permit from the department. Persons possessing domesticated red foxes or European rabbits without a permit from the department must declare such possession in writing to the department by January 1, 2018. This written declaration must include the number of individual animals in possession and date acquired, sex, estimated age, coloration, and a photograph of each fox or European rabbit. This written declaration (i) shall serve as a permit for possession only, and (ii) is not transferable, ~~and (iii) must be renewed every five years.~~

Rationale:

The requirement to renew the permit for domestic red foxes and European rabbits will be unnecessary in 2028 as the foxes will be nearing the expected life span at that time and no rabbits were permitted. The removal of the renewal requirement will benefit both the permittees and the Department by saving time, communications, and paperwork.

This regulation required for all persons possessing domesticated red foxes or European rabbits in captivity on July 1, 2017, to declare such possession in writing to the Department by January 1, 2018, to obtain a permit for the animal. The domestic foxes and rabbits were to be maintained in captivity until the animal dies, but the animals could not be bred or sold without a permit from the Department. A total of 37 domestic red foxes and no European rabbits were permitted as of January 1, 2018. After one permit renewal period, the number of permitted captive foxes had decreased substantially as many foxes had passed. The next renewal period will be in 2028, when the captive foxes will be at a minimum of ten and a half years old. Red foxes live roughly 12 years in captivity. After discussions with the Permits Office, it was deemed unnecessary to renew the permit again with all the captive foxes nearing or passing the expected life span. The removal of the requirement to renew the permit every 5 years will allow those with captive red foxes to maintain their permit until the animal passes without the unnecessary renewal paperwork and communications from the Department.

4VAC15-20-65

Definitions and Miscellaneous: In General: Hunting, trapping, and fishing license and permit fees

Summary:

The recommendation is to (i) create a three-day trip hunting license for Virginia residents as authorized in §29.1-303.1, and (ii) include the elk hunt lottery application fee for residents and nonresidents in the fee table.

Recommended language of amendment:

4VAC15-20-65. Hunting, trapping, and fishing license and permit fees.

In accordance with the authority of the board under subdivision 16 of § [29.1-103](#) of the Code of Virginia, the following fees are established for hunting, trapping, and fishing licenses and permits:

Virginia Resident Licenses to Hunt

Type license	Fee
One-year Resident License to Hunt, for licensees 16 years of age or older	\$22.00
Two-year Resident License to Hunt, for licensees 16 years of age or older	\$43.00
Three-year Resident License to Hunt, for licensees 16 years of age or older	\$64.00
Four-year Resident License to Hunt, for licensees 16 years of age or older	\$85.00
Resident Three-Day Trip License to Hunt	\$11.00
County or City Resident License to Hunt in County or City of Residence Only, for licensees 16 years of age or older	\$15.00
Resident Senior Citizen Annual License to Hunt, for licensees 65 years of age or older	\$8.00
Resident Junior License to Hunt, for licensees 12 through 15 years of age, optional for licensees younger than 12 years of age	\$7.50
Resident Youth Combination License to Hunt, and to hunt bear, deer, and turkey, to hunt with archery equipment during archery hunting season, and to hunt with muzzleloading guns during muzzleloading hunting season, for licensees younger than 16 years of age	\$15.00
Resident Sportsman License to Hunt and Freshwater Fish, and to hunt bear, deer, and turkey, to hunt with archery equipment during archery hunting season, to hunt with muzzleloading guns during muzzleloading hunting season, to fish in designated stocked trout waters (also listed under Virginia Resident Licenses to Fish)	\$99.00
Resident Hunting License for Partially Disabled Veterans	\$11.00
Resident Infant Lifetime License to Hunt	\$130.00
Resident Junior Lifetime License to Hunt, for licensees younger than 12 years of age at the time of purchase	\$260.00

Resident Lifetime License to Hunt, for licensees at the time of purchase:

through 44 years of age	\$265.00
45 through 50 years of age	\$215.00
51 through 55 years of age	\$165.00
56 through 60 years of age	\$115.00
61 through 64 years of age	\$65.00
65 years of age and older	\$25.00
Totally and Permanently Disabled Resident Special Lifetime License to Hunt	\$15.00
Service-Connected Totally and Permanently Disabled Veteran Resident Lifetime License to Hunt or Freshwater Fish (also listed under Virginia Resident Licenses to Fish)	no fee

Virginia Resident Licenses for Additional Hunting Privileges

Type license or permit	Fee
Resident Deer and Turkey Hunting License, for licensees 16 years of age or older	\$22.00
Resident Junior Deer and Turkey Hunting License, for licensees younger than 16 years of age	\$7.50
Resident Archery License to Hunt with archery equipment during archery hunting season	\$17.00
Resident Bear Hunting License	\$20.00
Resident Muzzleloading License to Hunt during muzzleloading hunting season	\$17.00
Resident Bonus Deer Permit	\$17.00
Resident Fox Hunting License to hunt foxes on horseback with hounds without firearms (not required of an individual holding a general License to Hunt)	\$22.00
<u>Resident Elk Hunt Lottery Application</u>	<u>\$15.00</u>
Resident Special Elk Hunting License (not required outside of the Elk Management Zone and only awarded to individuals through a department elk license program)	\$40.00

Virginia Nonresident Licenses to Hunt

Type license	Fee
Nonresident License to Hunt, for licensees 16 years of age or older	\$110.00
Nonresident Three-Day Trip License to Hunt	\$59.00
Nonresident Youth License to Hunt, for licensees:	
younger than 12 years of age	\$12.00

12 through 15 years of age	\$15.00
Nonresident Youth Combination License to Hunt, and to hunt bear, deer, and turkey, to hunt with archery equipment during archery hunting season, and to hunt with muzzleloading guns during muzzleloading hunting season, for licensees younger than 16 years of age	\$30.00
Nonresident Annual Hunting License for Partially Disabled Veterans	\$55.00
Nonresident Annual Hunting License for Totally and Permanently Disabled Veterans	\$27.50
Nonresident Infant Lifetime License to Hunt	\$275.00
Nonresident Lifetime License to Hunt	\$580.00

Virginia Nonresident Licenses for Additional Hunting Privileges

Type license or permit	Fee
Nonresident Deer and Turkey Hunting License, for licensees:	
16 years of age or older	\$85.00
12 through 15 years of age	\$15.00
younger than 12 years of age	\$12.00
Nonresident Bear Hunting License	\$150.00
Nonresident Archery License to Hunt with archery equipment during archery hunting season	\$30.00
Nonresident Muzzleloading License to Hunt during muzzleloading hunting season	\$30.00
Nonresident Shooting Preserve License to Hunt within the boundaries of a licensed shooting preserve	\$22.00
Nonresident Bonus Deer Permit	\$30.00
Nonresident Fox Hunting License to hunt foxes on horseback with hounds without firearms (not required of an individual holding a general License to Hunt)	\$110.00
<u>Nonresident Elk Hunt Lottery Application</u>	<u>\$20.00</u>
Nonresident Special Elk Hunting License (not required outside of the Elk Management Zone and only awarded to individuals through a department elk license program)	\$400.00

Miscellaneous Licenses or Permits to Hunt

Type license or permit	Fee
Waterfowl Hunting Stationary Blind in Public Waters License	\$22.50
Waterfowl Hunting Floating Blind in Public Waters License	\$40.00
Foxhound Training Preserve License	\$17.00

Public Access Lands for Sportsmen Permit to Hunt, Trap, or Fish on Designated Lands (also listed under Miscellaneous Licenses or Permits to Fish)	\$17.00
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Virginia Resident and Nonresident Licenses to Trap

Type license	Fee
One-year Resident License to Trap, for licensees 16 years of age or older	\$45.00
Two-year Resident License to Trap, for licensees 16 years of age or older	\$89.00
Three-year Resident License to Trap, for licensees 16 years of age or older	\$133.00
Four-year Resident License to Trap, for licensees 16 years of age or older	\$177.00
County or City Resident License to Trap in County or City of Residence Only	\$20.00
Resident Junior License to Trap, for licensees younger than 16 years of age	\$10.00
Resident Senior Citizen License to Trap, for licensees 65 years of age or older	\$8.00
Resident Senior Citizen Lifetime License to Trap, for licensees 65 years of age or older	\$25.00
Totally and Permanently Disabled Resident Special Lifetime License to Trap	\$15.00
Service-Connected Totally and Permanently Disabled Veteran Resident Lifetime License to Trap	\$15.00
Nonresident License to Trap	\$205.00

Virginia Resident Licenses to Fish

Type license	Fee
One-year Resident License to Freshwater Fish	\$22.00
Two-year Resident License to Freshwater Fish	\$43.00
Three-year Resident License to Freshwater Fish	\$64.00
Four-year Resident License to Freshwater Fish	\$85.00
County or City Resident License to Freshwater Fish in County or City of Residence Only	\$15.00
Resident License to Freshwater Fish, for licensees 65 years of age or older	\$8.00
Resident License to Fish in Designated Stocked Trout Waters	\$22.00
Resident License to Freshwater and Saltwater Fish	\$38.50
Resident License to Freshwater Fish for Five Consecutive Days	\$13.00
Resident License to Freshwater and Saltwater Fish for Five Consecutive Days	\$23.00
Resident Sportsman License to Hunt and Freshwater Fish, and to hunt bear, deer, and turkey, to hunt with archery equipment during archery hunting season, to hunt with muzzleloading guns	\$99.00

during muzzleloading hunting season, to fish in designated stocked trout waters (also listed under Virginia Resident Licenses to Hunt)

Resident Fishing License for Partially Disabled Veterans	\$11.00
Resident Infant Lifetime License to Fish	\$130.00
Resident Special Lifetime License to Freshwater Fish, for licensees at the time of purchase:	
through 44 years of age	\$265.00
45 through 50 years of age	\$215.00
51 through 55 years of age	\$165.00
56 through 60 years of age	\$115.00
61 through 64 years of age	\$65.00
65 years of age and older	\$25.00
Resident Special Lifetime License to Fish in Designated Stocked Trout Waters, for licensees at the time of purchase:	
through 44 years of age	\$265.00
45 through 50 years of age	\$215.00
51 through 55 years of age	\$165.00
56 through 60 years of age	\$115.00
61 through 64 years of age	\$65.00
65 years of age and older	\$25.00
Totally and Permanently Disabled Resident Special Lifetime License to Freshwater Fish	\$15.00
Service-Connected Totally and Permanently Disabled Veteran Resident Lifetime License to Hunt and Freshwater Fish (also listed under Virginia Resident Licenses to Hunt)	no fee

Virginia Nonresident Licenses to Fish

Type license	Fee
Nonresident License to Freshwater Fish	\$46.00
Nonresident License to Freshwater Fish in Designated Stocked Trout Waters	\$22.00
Nonresident License to Freshwater and Saltwater Fish	\$70.00
Nonresident Fishing License for Partially Disabled Veterans	\$23.00
Nonresident Annual Fishing License for Totally and Permanently Disabled Veterans	\$11.50
Nonresident License to Freshwater Fish for One Day	\$7.00

Nonresident License to Freshwater Fish for Five Consecutive Days	\$20.00
Nonresident License to Freshwater and Saltwater Fish for Five Consecutive Days	\$30.00
Nonresident Infant Lifetime License to Fish	\$275.00
Nonresident Special Lifetime License to Freshwater Fish	\$580.00
Nonresident Special Lifetime License to in Fish in Designated Stocked Trout Waters	\$580.00

Miscellaneous Licenses or Permits to Fish

Type license or permit	Fee
Permit to Fish for One Day at Board-Designated Stocked Trout Fishing Areas with Daily Use Fees	\$7.00
Public Access Lands for Sportsmen Permit to Hunt, Trap, or Fish on Designated Lands (also listed under Miscellaneous Licenses or Permits to Hunt)	\$17.00
Special Guest Fishing License	\$60.00

Rationale:

- (i) During the 2019 session, the General Assembly passed, and the Governor enacted HB1621 which authorizes the Department to create a trip hunting license for Virginia residents. Prior to passage of this legislation, the Department was only authorized to provide a trip hunting license for nonresidents. To date, the Department has not acted upon its authority to establish a trip hunting license for Virginia residents, but affording residents the opportunity to purchase a three-day trip license may encourage an alternative entry point for individuals to learn how to hunt and afford additional individuals the opportunity to pursue hunting activities within Virginia.
- (ii) During the 2020 session, the General Assembly passed, and the Governor enacted HB388/SB262 authorizing the Department to create a special elk hunting license. This legislation also authorized the Department to establish quotas or procedures for selection to purchase a special elk hunting license which has become the Department's elk hunt lottery. Following passage of this legislation, fees for the special elk hunting licenses were included in regulation, but fees for the elk hunt lottery were not. This recommendation would establish the elk hunt lottery fees in regulation like all other licenses, permit, stamp, etc. fees for hunting, freshwater fishing, and trapping in Virginia.

4VAC15-20-130

Definitions and Miscellaneous: In General: Endangered and threatened species; adoption of federal list; additional species enumerated

Summary: The recommendation is to designate an Eastern Tiger Salamander Experimental Population on certain lands in Sussex County.

Recommended language of amendment:

4VAC15-20-130. Endangered and threatened species; adoption of federal list; additional species enumerated

A. The board hereby adopts the Federal Endangered and Threatened Species List, Endangered Species Act of December 28, 1973 (16 USC §§ 1531-1543), as amended as of October 10, 2024, and declares all species listed thereon to be endangered or threatened species in the Commonwealth. Pursuant to subdivision 12 of § 29.1-103 of the Code of Virginia, the director is hereby delegated authority to propose adoption of modifications and amendments to the Federal Endangered and Threatened Species List in accordance with the procedures of §§ 29.1-501 and 29.1-502 of the Code of Virginia.

B. In addition to the provisions of subsection A of this section, the following species are declared endangered or threatened in the Commonwealth and are afforded the protection provided by Article 6 (§ 29.1-563 et seq.) of Chapter 5 of Title 29.1 of the Code of Virginia:

1. Fish:

Endangered:

Dace, Clinch	Chrosomus sp. cf. saylori
Dace, Tennessee	Phoxinus tennesseensis
Darter, sharphead	Etheostoma acuticeps
Darter, variegate	Etheostoma variatum
Sunfish, blackbanded	Enneacanthus chaetodon

Threatened:

Darter, Carolina	Etheostoma collis
Darter, golden	Etheostoma denoncourti
Darter, greenfin	Etheostoma chlorbranchium
Darter, western sand	Ammocrypta clara
Madtom, orangefin	Noturus gilberti
Paddlefish	Polyodon spathula

Shiner, emerald	<i>Notropis atherinoides</i>
Shiner, steelcolor	<i>Cyprinella whipplei</i>
Shiner, whitemouth	<i>Notropis alborus</i>
2. Amphibians:	
Endangered:	
Salamander, eastern tiger	<i>Ambystoma tigrinum</i>
Threatened:	
Salamander, Mabee's	<i>Ambystoma mabeei</i>
3. Reptiles:	
Endangered:	
Rattlesnake, canebrake (Coastal Plain population of timber rattlesnake)	<i>Crotalus horridus</i>
Turtle, bog	<i>Glyptemys muhlenbergii</i>
Turtle, eastern chicken	<i>Deirochelys reticularia</i>
Threatened:	
Lizard, eastern glass	<i>Ophisaurus ventralis</i>
Turtle, wood	<i>Glyptemys insculpta</i>
4. Birds:	
Endangered:	
Plover, Wilson's	<i>Charadrius wilsonia</i>
Rail, black	<i>Laterallus jamaicensis</i>
Woodpecker, red-cockaded	<i>Dryobates borealis</i>
Wren, Bewick's	<i>Thryomanes bewickii</i>
Threatened:	
Falcon, peregrine	<i>Falco peregrinus</i>
Shrike, loggerhead	<i>Lanius ludovicianus</i>
Sparrow, Bachman's	<i>Aimophila aestivalis</i>
Sparrow, Henslow's	<i>Ammodramus henslowii</i>
Tern, gull-billed	<i>Sterna nilotica</i>

5. Mammals:

Endangered:

Bat, Rafinesque's eastern big-eared

Corynorhinus rafinesquii macrotis

Bat, little brown

Myotis lucifugus

Bat, tri-colored

Perimyotis subflavus

Hare, snowshoe

Lepus americanus

Shrew, American water

Sorex palustris

Vole, rock

Microtus chrotorrhinus

6. Mollusks:

Endangered:

Coil, rubble

Helicodiscus lirellus

Coil, shaggy

Helicodiscus diadema

Deertoe

Truncilla truncata

Elephantear

Elliptio crassidens

Elimia, spider

Elimia arachnoidea

Floater, brook

Alasmidonta varicosa

Ghostsnail, thankless

Holsingeria unthinksensis

Heelsplitter, Tennessee

Lasmigona holstonia

Lilliput, purple

Toxolasma lividus

Mussel, slippershell

Alasmidonta viridis

Pigtoe, Ohio

Pleurobema cordatum

Pigtoe, pyramid

Pleurobema rubrum

Springsnail, Appalachian

Fontigens bottimeri

Springsnail (no common name)

Fontigens morrisoni

Supercoil, spirit

Paravitrea hera

Threatened:

Floater, green

Lasmigona subviridis

Papershell, fragile

Leptodea fragilis

Pimpleback

Quadrula pustulosa

Pistolgrip *Tritogonia verrucosa*

Riversnail, spiny *Iofluvialis*

Sandshell, black *Ligumia recta*

Supercoil, brown *Paravitrea septadens*

7. Arthropods:

Threatened:

Amphipod, Madison Cave *Stygobromus stegerorum*

Pseudotremia, Ellett Valley *Pseudotremia cavernarum*

Xystodesmid, Laurel Creek *Sigmoria whiteheadi*

C. It shall be unlawful to take, transport, process, sell, or offer for sale within the Commonwealth any threatened or endangered species of fish or wildlife except as authorized by law.

D. The incidental take of certain species may occur in certain circumstances and with the implementation of certain conservation practices as described in this subsection:

Species	Location	Allowable Circumstances	Required Conservation Measures	Expected Incidental Take
Little brown bat, Tri-colored bat	Statewide	Human health risk – need for removal of individual animals from human-habited structures.	Between May 15 and August 31, no exclusion of bats from maternity colonies, except for human health concerns. Department-permitted nuisance wildlife control operator with department-recognized certification in techniques associated with removal of bats. Use of exclusion devices that allow individual animals to escape. Manual collection of individual animals incapable of sustaining themselves; transport to a willing and appropriately permitted wildlife rehabilitator.	Little to no direct lethal taking expected.
		Public safety or property damage risk – need for tree removal, application of	Hibernacula: no tree removal, use of prescribed fire, or other land management action within a 250-foot radius buffer area from December 1 through April 30. Between September 1 and November 30, increase the buffer to a 1/4-mile radius with the following conditions: for timber	

prescribed fire, or other land management actions affecting known roosts; removal of animals from known roosts. harvests greater than 20 acres, retain snags and wolf trees (if not presenting public safety or property risk) and small tree groups up to 15 trees of 3-inch diameter at breast height (dbh) or greater, one tree group per 20 acres. Otherwise, document the need (public safety, property damage risk) for tree removal during this period and verify that no known roost trees exist in the buffer area. Tree removal and prescribed fire are permitted outside of these dates.

Known roost trees: no tree removal, use of prescribed fire, or other land management action within a 150-foot radius buffer area from June 1 through July 31, if possible. Otherwise, document public safety or property damage risk.

Department-permitted nuisance wildlife control operator with department-recognized certification in techniques associated with removal of bats.

Use of exclusion devices that allow individual animals to escape.

Manual collection of individual animals incapable of sustaining themselves; transport to a willing and appropriately permitted wildlife rehabilitator.

E. Experimental populations of certain species are described below, consistent with the identification of them in state conservation plans. These populations are geographically distinct from naturally occurring populations and not subject to the penalties and prohibitions authorized under §29.1-568.

<u>Species</u>	<u>Designated Location of Experimental Population</u>	<u>County/City</u>	<u>Take Exemptions</u>
<u>Eastern Tiger Salamander (Ambystoma tigrinum)</u>	<u>Lands located within the 2025 boundaries of the department's Big Wood Wildlife Management Area and The Nature Conservancy's Piney Grove Preserve</u>	<u>Sussex County</u>	<u>Take is authorized unless otherwise prohibited by other Virginia laws or regulations</u>

Rationale:

The Eastern Tiger Salamander is a state endangered species in threat of extirpation from Virginia’s coastal plain. All three currently-known populations occur on unprotected private lands where land

management actions may negatively impact the animals themselves or the habitat in which they live or in an area experiencing substantial growth and urbanization. One of the conservation actions included within the approved DWR 2025 Eastern Tiger Salamander Conservation Plan is translocation of this species to other locations to establish new populations that increase overall resiliency, redundancy, and representation of the species on the landscape. The initially-identified experimental population would be established in appropriate habitat on the DWR's Big Woods Wildlife Management Area in Sussex County. To ensure this does not result in any additional regulatory burden to our citizens, staff recommends the Board designate an Eastern Tiger Salamander Experimental Population with the spatial extent to include lands within the borders of Big Woods WMA and The Nature Conservancy's Piney Grove Preserve. The inclusion of Piney Grove Preserve recognizes that, at the identified suitable habitat, the roaming range of this species (300 meters) may result in salamanders occurring on this property. The DWR has received the support of The Nature Conservancy and recognition that animals from this population may be found on that property. The DWR staffs have also met with the Sussex County Administrator and landowners around these properties and received support for this conservation action at this site. As the agency monitors the success of this action, it may update the Conservation Plan and recommend amendments to this regulation to designate additional areas of experimental populations.

4VAC15-20-155

Definitions and Miscellaneous: In General: Camping on Wildlife Management Areas and other department-owned or department-managed lands

Summary:

The recommendation is to clarify locations where camping is allowed on Wildlife Management Areas and other department-owned and department-managed lands.

Recommended language of amendment:

4VAC15-20-155. Camping on Wildlife Management Areas and other department-owned or department-managed lands.

Temporary dispersed camping, with no amenities provided, may only be performed on WMA's and other DWR-owned or managed lands when occupants are engaged in authorized activities and in strict compliance with established terms and conditions, including those listed below. Camping may be prohibited on certain portions or entire parcels of DWR-owned or managed lands, including certain WMA's.

A. Authorization. It shall be unlawful to camp without written authorization from the Department. Written authorization to camp is required in addition to any and all other licenses, permits or authorizations that may otherwise be required. Written authorization is obtained by completing and submitting a Camping Authorization Form. Only an individual 18 years of age or older, who is a member of and accepts responsibility for the camp and camping group, may be issued a camping authorization.

B. Camping periods. Unless otherwise posted or authorized, it shall be unlawful to camp for more than 14 consecutive nights, or more than 14 nights in a 28-day period on Department-owned or controlled lands. At the end of the authorized camping period, all personal property and any refuse must be removed.

C. Allowed and Prohibited locations. Back country camping is allowed. Adjacent to roadways, cCamping is allowed only in at previously cleared areas and established sites. No vegetation may be cut, damaged or removed to establish a camp site. Enclosed camping trailers or camping vehicles are allowed if they do not occupy all the available parking area in that location. It shall be unlawful to camp within 300 feet of any Department-owned lake, boat ramp or other facility. It shall be unlawful to camp at other specific locations as posted. This regulation shall not prohibit active angling at night along shorelines where permitted.

D. Removal of personal property and refuse. Any person who establishes or occupies a camp shall be responsible for the complete removal of all personal property and refuse when the camping authorization has expired. Any personal property or refuse that remains after the camping authorization has expired shall be considered litter and punishable pursuant to 33.2-802 of the Code of Virginia.

E. It shall be unlawful when camping on Department-owned or managed lands to store or leave unattended any food (including food for pets and livestock), refuse, bear attractant, or other wildlife attractant unless it is: (a) in a bear-resistant container; (b) in a trunk of a vehicle or in a closed, locked, hard-sided motor vehicle with a solid top; (c) in a closed, locked, hard-body trailer; or (d) suspended at least 10 feet clear of the ground at all points and at least 4 feet horizontally from the supporting tree or pole and any other tree or pole. It shall be unlawful to

discard, bury or abandon any food, refuse, bear attractant, or other wildlife attractant unless it is disposed of by placing it inside an animal-resistant trash receptacle provided by the Department.

F. Any violation of this regulation or other posted rules shall be punishable as a Class III Misdemeanor, and the camping permit shall become null and void, and the permittee shall be required to immediately vacate the property upon summons or notification. A second or subsequent offense may result in the loss of camping privileges on department-owned or managed properties.

Rationale:

Since this regulation was established in 2021 there has been some confusion about where camping is allowed and whether back country camping is allowed. The intent of this amendment is to clarify that back country camping is allowed and that camping is allowed in existing open areas adjacent to roadways. Further, it is recommended to replace the words “and established sites” with “areas”, because there are no formally designated camp sites on WMAs. Confusion also exists regarding the use of enclosed camping trailers and camping vehicles. The recommendation is to clarify that these camping methods are allowed, if they do not occupy all the available parking area, which could restrict access for other WMA visitors.

4VAC15-30-40

Definitions and Miscellaneous: Importation, Possession, Sale, etc., of Animals: Importation requirements, possession, and sale of nonnative (exotic) animals.

Summary:

The recommendations are to remove requirements for reporting of harvested northern snakehead fish and authorizations for allowing the possession of prairie dogs in certain circumstances.

Recommended Language of Amendment:

4VAC15-30-40. Importation requirements, possession, and sale of nonnative (exotic) animals.

A. Permit required. A special permit is required and may be issued by the department, if consistent with the department's fish and wildlife management program, to import, possess, or sell those nonnative (exotic) animals listed in the following table and in [4VAC15-20-210](#) that the board finds and declares to be predatory or undesirable within the meaning and intent of § [29.1-542](#) of the Code of Virginia, in that their introduction into the Commonwealth will be detrimental to the native fish and wildlife resources of Virginia.

AMPHIBIANS

Order	Family	Genus/Species	Common Name
Anura	Bufonidae	Rhinella marina	Cane toad*
		Hymenochirus spp.	
	Pseudohymenochirus merlini	African dwarf frog	
Caudata	Pipidae	Xenopus spp.	Tongueless or African clawed frog
	Ambystomatidae	All species, except	All mole salamanders, except
		Ambystoma mexicanum	Mexican axolotl

BIRDS

Order	Family	Genus/Species	Common Name
Psittaciformes	Psittacidae	Myiopsitta monachus	Monk parakeet*
Anseriformes	Anatidae	Cygnus olor	Mute swan

FISH

Order	Family	Genus/Species	Common Name
Cypriniformes	Catostomidae	Catostomus microps	Modoc sucker
		Catostomus santaanae	Santa Ana sucker
		Catostomus warnerensis	Warner sucker
		Ictiobus bubalus	Smallmouth* buffalo
		I. cyprinellus	Bigmouth* buffalo
		I. niger	Black buffalo*
		Characidae	Pygopristis spp.
Pygocentrus spp.			
Rooseveltiella spp.			
Serrasalmo spp.			
Serrasalmus spp.			
Taddyella spp.			
Cobitidae	Misgurnus anguillicaudatus		Oriental weatherfish
Cyprinidae	Aristichthys nobilis		Bighead carp*
	Chrosomus saylori		Laurel dace
	Ctenopharyngodon idella		Grass carp or white amur
	Cyprinella caerulea	Blue shiner	

		<i>Cyprinella formosa</i>	Beautiful shiner
		<i>Cyprinella lutrensis</i>	Red shiner
		<i>Hypophthalmichthys molitrix</i>	Silver carp*
		<i>Mylopharyngodon piceus</i>	Black carp*
		<i>Notropis albizonatus</i>	Palezone shiner
		<i>Notropis cahabae</i>	Cahaba shiner
		<i>Notropis girardi</i>	Arkansas River shiner
		<i>Notropis mekistocholas</i>	Cape Fear shiner
		<i>Notropis simus pecosensis</i>	Pecos bluntnose shiner
		<i>Notropis topeka</i> (= <i>tristis</i>)	Topeka shiner
		<i>Phoxinus cumberlandensis</i>	Blackside dace
		<i>Rhinichthys osculus lethoporus</i>	Independence Valley speckled dace
		<i>Rhinichthys osculus nevadensis</i>	Ash Meadows speckled dace
		<i>Rhinichthys osculus oligoporus</i>	Clover Valley speckled dace
		<i>Rhinichthys osculus</i> ssp.	Foskett speckled dace
		<i>Rhinichthys osculus thermalis</i>	Kendall Warm Springs dace
		<i>Scardinius erythrophthalmus</i>	Rudd
		<i>Tinca tinca</i>	Tench*
Cyprinodontiformes	Poeciliidae	<i>Gambusia gaigei</i>	Big Bend gambusia
		<i>Gambusia georgei</i>	San Marcos gambusia
		<i>Gambusia heterochir</i>	Clear Creek gambusia
		<i>Gambusia nobilis</i>	Pecos gambusia
		<i>Peociliopsis occidentalis</i>	Gila topminnow
Gasterosteiformes	Gasterosteidae	<i>Gasterosteus aculeatus williamsoni</i>	Unarmored threespine stickleback
Gobiesociformes	Gobiidae	<i>Proterorhinus marmoratus</i>	Tube-nose goby
		<i>Neogobius melanostomus</i>	Round goby
	Centrarchidae	<i>Micropterus henshalli</i>	Alabama bass
	Channidae	<i>Channa</i> spp.	Snakeheads
		<i>Parachanna</i> spp.	
	Cichlidae	<i>Tilapia</i> spp.	Tilapia
		<i>Gymnocephalus cernuum</i>	Ruffe*
	Elassomatidae	<i>Elassoma alabamae</i>	Spring pygmy sunfish
		<i>Crystallaria cincotta</i>	Diamond darter
		<i>Etheostoma chermocki</i>	Vermilion darter
		<i>Etheostoma boschungii</i>	Slackwater darter
		<i>Etheostoma chienense</i>	Relict darter
		<i>Etheostoma etowahae</i>	Etowah darter
		<i>Etheostoma fonticola</i>	Fountain darter
		<i>Etheostoma moorei</i>	Yellowcheek darter
		<i>Etheostoma nianguae</i>	Niangua darter
		<i>Etheostoma nuchale</i>	Watercress darter
		<i>Etheostoma okaloosae</i>	Okaloosa darter
		<i>Etheostoma phytophilum</i>	Rush darter
		<i>Etheostoma rubrum</i>	Bayou darter
Perciformes	Percidae	<i>Etheostoma scotti</i>	Cherokee darter

		Etheostoma sp.	Bluemask (= jewel) darter
		Etheostoma susanae	Cumberland darter
		Etheostoma wapiti	Boulder darter
		Percina antesella	Amber darter
		Percina aurolineata	Goldline darter
		Percina jenkinsi	Conasauga logperch
		Percina pantherina	Leopard darter
		Percina tanasi	Snail darter
		Cottus sp.	Grotto sculpin
Scorpaeniformes	Cottidae	Cottus paulus (= pygmaeus)	Pygmy sculpin
	Clariidae	All species	Air-breathing catfish
		Noturus baileyi	Smoky madtom
		Noturus crypticus	Chucky madtom
		Noturus placidus	Neosho madtom
		Noturus stanauli	Pygmy madtom
Siluriformes	Ictaluridae	Noturus trautmani	Scioto madtom
Synbranchiformes	Synbranchidae	Monopterus albus	Swamp eel
MAMMALS			
Order	Family	Genus/Species	Common Name
	Suidae	All Species	Pigs or Hogs*
Artiodactyla	Cervidae	All Species	Deer*
	Canidae	All Species	Wild Dogs,* Wolves, Coyotes or Coyote hybrids, Jackals and Foxes
	Ursidae	All Species	Bears*
	Procyonidae	All Species	Raccoons and* Relatives Weasels, Badgers,* Skunks and Otters
	Mustelidae	All Species (except Mustela putorius furo)	Ferret Civets, Genets,* Lingsangs, Mongooses, and Fossas
	Viverridae	All Species	Mongooses*
	Herpestidae	All Species	Hyanas and Aardwolves*
Carnivora	Felidae	All Species	Cats*
Chiroptera		All Species	Bats*
		Brachylagus idahoensis	Pygmy rabbit
		Lepus europeaeus	European hare
		Oryctolagus cuniculus	European rabbit
		Sylvilagus bachmani riparius	Riparian brush rabbit
Lagomorpha	Lepridae	Sylvilagus palustris hefneri	Lower Keys marsh rabbit
		All species native to Africa	All species native to Africa
	Dipodidae	Zapus hudsonius preblei	Preble's meadow jumping mouse
		Microtus californicus scirpensis	Amargosa vole
		Microtus mexicanus hualpaiensis	Hualapai Mexican vole
		Microtus pennsylvanicus dukecampbelli	Florida salt marsh vole
		Neotoma floridana smalli	Key Largo woodrat
		Neotoma fuscipes riparia	Riparian (= San Joaquin Valley) woodrat
Rodentia	Muridae	Oryzomys palustris natator	Rice rat

		Peromyscus gossypinus allapaticola	Key Largo cotton mouse
		Peromyscus polionotus allophrys	Choctawhatchee beach mouse
		Peromyscus polionotus ammobates	Alabama beach mouse
		Peromyscus polionotus niveiventris	Southeastern beach mouse
		Peromyscus polionotus peninsularis	St. Andrew beach mouse
		Peromyscus polionotus phasma	Anastasia Island beach mouse
		Peromyscus polionotus trissyllepsis	Perdido Key beach mouse
		Reithrodontomys raviventris	Salt marsh harvest mouse
		Dipodomys heermanni morroensis	Morro Bay kangaroo rat
		Dipodomys ingens	Giant kangaroo rat
		Dipodomys merriami parvus	San Bernadino Merriam's kangaroo rat
		Dipodomys nitratoides exilis	Fresno kangaroo rat
		Dipodomys nitratoides nitratoides	Tipton kangaroo rat
		Dipodomys stephensi (including D. cascus)	Stephens' kangaroo rat
	Heteromyidae	Perognathus longimembris pacificus	Pacific pocket mouse
		Cynomys spp.	Prairie dogs
		Spermophilus brunneus brunneus	Northern Idaho ground squirrel
	Sciuridae	Tamiasciurus hudsonicus grahamensis	Mount Graham red squirrel
Soricomorpha	Soricidae	Sorex ornatus relictus	Buena Vista Lake ornate shrew
MOLLUSKS			
Order	Family	Genus/Species	Common Name
Neotaenioglossa	Hydrobiidae	Potamopyrgus antipodarum	New Zealand mudsnail
		Dreissena bugensis	Quagga mussel
Veneroida	Dreissenidae	Dreissena bugensis	Quagga mussel
REPTILES			
Order	Family	Genus/Species	Common Name
Crocodylia	Alligatoridae	All species	Alligators, caimans*
	Crocodylidae	All species	Crocodiles*
	Gavialidae	All species	Gavials*
Squamata	Colubridae	Boiga irregularis	Brown tree snake*
CRUSTACEANS			
Order	Family	Genus/Species	Common Name
		Cambarus aculabrum	Cave crayfish
		Cambarus zophonastes	Cave crayfish
		Orconectes rusticus	Rusty crayfish
		Orconectes shoupi	Nashville crayfish
		Pacifastacus fortis	Shasta crayfish
Decapoda	Cambaridae	Procambarus sp.	Marbled crayfish

Parastacidae	Cherax spp.	Australian crayfish
Varunidea	Eriocheir sinensis	Chinese mitten crab

B. Temporary possession permit for certain animals. Notwithstanding the permitting requirements of subsection A of this section, a person, company, or corporation possessing any nonnative (exotic) animal, designated with an asterisk (*) in subsection A of this section, prior to July 1, 1992, must declare such possession in writing to the department by January 1, 1993. This written declaration shall serve as a permit for possession only, is not transferable, and must be renewed every five years. This written declaration must include species name, common name, number of individuals, date or dates acquired, sex (if possible), estimated age, height or length, and other characteristics such as bands and band numbers, tattoos, registration numbers, coloration, and specific markings. Possession transfer will require a new permit according to the requirements of this subsection.

C. Exception for certain monk parakeets. A permit is not required for monk parakeets (quakers) that have been captive bred and are closed-banded with a seamless band.

D. Exception for parts or products. A permit is not required for parts or products of those nonnative (exotic) animals listed in subsection A of this section that may be used for personal use, in the manufacture of products, or used in scientific research, provided that such parts or products be packaged outside the Commonwealth by any person, company, or corporation duly licensed by the state in which the parts originate. Such packages may be transported into the Commonwealth, consistent with other state laws and regulations, so long as the original package remains unbroken, unopened and intact until its point of destination is reached. Documentation concerning the type and cost of the animal parts ordered, the purpose and date of the order, point and date of shipping, and date of receiving shall be kept by the person, business, or institution ordering such nonnative (exotic) animal parts. Such documentation shall be open to inspection by a representative of the Department of Wildlife Resources.

~~E. Exception for prairie dogs. The effective date of listing of prairie dogs under subsection A of this section shall be January 1, 1998. Prairie dogs possessed in captivity in Virginia on December 31, 1997, may be maintained in captivity until the animals' deaths, but they may not be sold on or after January 1, 1998, without a permit.~~

~~F.E.~~ Exception for snakehead fish. Anglers may legally harvest snakehead fish of the family Channidae, provided that they immediately kill such fish ~~and that they notify the department, as soon as practicable, of such actions.~~

~~G.F.~~ Exception for feral hogs. Anyone may legally trap feral hogs with written permission of the landowner, provided that any trapped hogs are not removed from the trap site alive and are killed immediately.

~~H.G.~~ Exception for grass carp. Anglers may legally harvest grass carp of the family Cyprinidae only from public waters of the Commonwealth. It is unlawful to harvest grass carp from any public inland lake or reservoir. Anglers taking grass carp must ensure that harvested grass carp are dead.

~~I.H.~~ Exception for Alabama bass. Anglers may possess live Alabama bass of the family Centrarchidae only on the body of water from which the fish were captured, provided that the angler does not live transport these fish outside of the body of water from which the fish were captured. Anglers may only release live Alabama bass back into the body of water from which the fish were captured. Anglers may legally harvest Alabama bass provided that the anglers ensure all harvested Alabama bass are dead.

~~J.I.~~ All other nonnative (exotic) animals. All other nonnative (exotic) animals not listed in subsection A of this section may be possessed, purchased, and sold; provided, that such animals shall be subject to all applicable local, state, and federal laws and regulations, including those that apply to threatened/endangered species, and further provided, that such animals shall not be liberated within the Commonwealth.

Rationale:

Remove reporting requirements associated with northern snakehead: At the time that this amendment was originally made to the regulation, the DWR was using reporting of northern snakeheads as a means of monitoring the potential spread of the species into other waterbodies in Virginia and possibly eradicating

local new populations/animals. At present, the species is well established in many waters of the state and outreach campaigns have raised awareness about reporting northern snakehead where anglers may first encounter them. As such, the reporting requirement is no longer needed as a surveillance tool.

Removal of exception for prairie dogs: At the time that this amendment was made to the regulation, the DWR recognized that prairie dogs had been a species relatively common in the pet trade. As such, the agency accommodated the needs of individuals who owned those animals at the time of enactment to continue possessing those animals until those animals died. The average lifespan of a prairie dog in captivity is seven (7) years. While the designation of prairie dogs as predatory and undesirable species remains, this particular amendment was enacted 21 years ago and is no longer needed as the elapsed time greatly exceeds the lifespan of this species.

4VAC15-40-282

Game: In General: Unauthorized feeding of bear.

Summary:

The recommendation is to remove the requirement that a person be notified by Department personnel that they are purposefully or inadvertently feeding a bear(s) prior to being found in violation of this regulation.

Recommended language of amendment:

4VAC15-40-282. Unauthorized feeding of bear.

It shall be unlawful for any person as defined in § [1-230](#) of the Code of Virginia to place, distribute, or allow the placement of food, minerals, carrion, trash, or similar substances to feed or attract bear. Nor, ~~upon notification by department personnel,~~ shall any person continue to place, distribute, or allow the placement of any food, mineral, carrion, trash, or similar substances for any purpose if the placement of these materials results in the presence of bear. ~~After such notification, such person shall be in violation of this section if the placing, distribution, or presence of such food, minerals, carrion, trash, or similar substances continues.~~ This section shall not apply to wildlife management activities conducted or authorized by the department.

Rationale:

It has been illegal to feed bears in Virginia since 2003, with a modification to the regulation in 2011 to further specify attractants and responsible parties. The unauthorized feeding of bears, either intentionally or unintentionally through unsecured attractants, accounts for over 70% of all reported human-bear conflict calls each year. These attractants include birdseed, residential garbage, pet or domestic livestock feed, and/or foods placed out specifically to attract bears. Unauthorized feeding of bears has been addressed in each iteration of the Virginia Bear Management Plan and is included in Goal 5: Human-Bear Conflict, of the 2023-2032 plan. Within this goal area, strategies to prevent and mitigate human-bear conflict center around enforcement of 4VAC15-40-282 and education on problems associated with unsecured attractants.

Each year, escalated feeding situations (often intentional feeding) occur that result in the humane dispatch of the bear(s) involved due to extreme habituation and food conditioned behaviors. These scenarios are often unreported until they have escalated to a high level. Additionally, disease transmission (e.g. sarcoptic mange) from the unnatural congregation of animals at a feeding site can exacerbate health and welfare concerns, while also creating human health and wildlife conflict concerns. The requirement for a prior notification in instances such as these are contrary to the intent of the feeding regulation and can lead to the problem continuing to escalate, often impacting multiple property owners and members of the public.

Since 2013, most human-bear conflict calls are reported through the USDA-WS Conflict Helpline. Bear conflict calls peaked in 2020 with a total of 3,500 calls while FY24 had 2,431. Even with the assistance of the Conflict Helpline, bear conflict calls often result in copious amounts of staff time to investigate and resolve. Many situations involve more than a single

property/person and can occupy both wildlife and law division staff throughout most of the spring and summer months.

The “prior notification” requirement can increase staff time devoted to these conflict/feeding situations due to the necessity of making multiple visits to the same property. Notifications can come in various forms but are most often a signed letter given to the person by a CPO. Following the notification, it is then the responsibility of the officer to follow back up with the person to ensure that compliance with the feeding regulation per the notification has occurred.

It is important to note that the removal of the prior notification clause does not mean that a citation would automatically be issued by an officer during an initial investigation or report of feeding. As clearly indicated by DWR Law Enforcement Officers, situational officer discretion and the ability to provide warnings versus a citation is used when enforcing all of the DWR (or other VA specific) regulations with or without notification requirement. The requirement of prior notification and the additional time and resources needed to ensure compliance limits officers in their ability to quickly resolve public safety issues where time is a critical component in preventing escalation and subsequent effect to property and human safety. In a majority of instances, a warning or notification will often still be the first course of action to educate the person on the issue. But in instances where egregious feeding is occurring, particularly where adjoining properties or/people are being impacted, the ability to issue a citation immediately would expedite the resolution of the issue.

Information pertaining to the bear feeding regulation can be found on all DWR bear handout materials (BearWise® brochures, Living with Black Bears), the DWR bear website, the DWR annual Hunting and Trapping digest, and throughout many partner agency brochures or recreation areas (US Forest Service, Virginia State Parks). This point is also reiterated in all bear management presentations across the state and in most media contacts pertaining to bears in Virginia.

4VAC15-40-300 (NEW)

Game: In General: Dispatch of game or furbearers by authorized persons

Summary:

The recommendation is to establish that Department staff or designees may authorize citizens to dispatch severely injured or diseased game and fur-bearing animals and nonmigratory game birds for animal welfare reasons.

Recommended language of the amendment:

4VAC15-40-300. Dispatch of game or furbearers

A. The Director or his designee may, in their discretion, authorize a person to dispatch any non-migratory game bird, furbearing animal, or game animal (except elk) as those animals are defined in §29.1-100, provided that the authorizing official is satisfied that the animal is actively exhibiting clear signs of severe injury or disease.

B. The authorizing official may award the carcass of such animal or bird to any person, along with a call for service or report number, provided that the parts of any animal dispatched under this authorization shall not be used for the purposes of taxidermy, mounts, contests or any public display unless authorized by the Director or his designee.

C. Where a deer is the animal authorized to be dispatched, the carcass or parts of it may not be removed from a disease management area except under the provisions of 4 VAC 15-90-293.

Rationale:

The number of diseased and injured animals reported to Department (DWR) staff and to the Wildlife Conflict Helpline has increased in recent years and this number is projected to increase further in the future. Due to the volume of these reports and when they are received, DWR staff, local law enforcement officers including animal control, or other authorized professionals are often unable to respond in-person to address these situations in an expedient manner. Citizens frequently encounter, and are often willing to dispatch, injured or diseased animals. There is often confusion and an extended wait time for citizens who are requesting the ability to dispatch an animal for welfare purposes that has been involved in a vehicle collision, mortally injured by farm machinery, or is showing signs of severe physical or neurological issues from disease. It is currently unlawful for a person to dispatch an animal outside of a hunting season or without a specific permit issued for other purposes (e.g., kill permit, scientific collection permit). This regulation would allow staff from multiple divisions within the DWR, or their designee, to expedite dispatch to provide relief for gravely injured or diseased wildlife while still enabling the Department to collect any needed biological or disease samples or information from these animals. DWR internal guidelines will provide for situational applicability, appropriate designees, and guidelines for dispatch to ensure clarity and consistency.

This recommendation minimizes opportunities for abuse in several ways. This recommendation is limited to resident species that are generally hunted or trapped to prevent any unintended impacts to threatened or endangered species or any conflicts with federal authority. The requirement for obtaining authorization from the Department Director (or designee) before dispatching an injured animal enables the Department to determine the need, provide appropriate guidance, obtain appropriate samples, and document the situation. The recommendation enables a person to possess and use a dispatched animal with appropriate reporting and accountability.

4VAC15-320-25

Fish: Fishing Generally: Creel and length limits.

Summary:

The recommendations is to remove the current one fish per day creel limit of blue catfish over 32 inches in length.

Recommended Language of Amendment:

4VAC15-320-25. Creel and length limits.

The creel limits, including live possession, and the length limits for the various species of fish shall be as follows, unless otherwise excepted by posted rules at department-owned or department-controlled waters (see [4VAC15-320-100 D](#)).

Type of fish	Subtype or location	Creel and length limits	Geographic exceptions	Creel or length limits for exceptions
largemouth bass, smallmouth bass		5 per day in the aggregate (combined) No statewide length limits	Lakes	
			Briery Creek Lake	No largemouth or smallmouth bass 16 to 24 inches; only 1 largemouth or smallmouth bass per day in the aggregate longer than 24 inches
			Buggs Island (Kerr)	Only 2 of 5 largemouth or smallmouth bass in the aggregate less than 14 inches
			Claytor Lake	No smallmouth bass less than 14 inches
			Flannagan Reservoir	No smallmouth bass less than 15 inches No largemouth bass less than 12 inches
			Lake Gaston	Only 2 of 5 largemouth or

				smallmouth bass in the aggregate less than 14 inches
			Leesville Reservoir	Only 2 of 5 largemouth or smallmouth bass in the aggregate less than 14 inches
			Lake Moomaw	No largemouth or smallmouth bass less than 12 inches
			Smith Mountain Lake and its tributaries below Niagara Dam	Only 2 of 5 largemouth or smallmouth bass in the aggregate less than 14 inches
			Rivers	
			Clinch River – within the boundaries of Scott, Wise, Russell, or Tazewell Counties	No largemouth or smallmouth bass less than 20 inches; only 1 largemouth or smallmouth bass in the aggregate per day longer than 20 inches
			Levisa Fork River – within the boundaries Buchanan County	No largemouth or smallmouth bass less than 20 inches; only 1 largemouth or smallmouth bass in the aggregate per day longer than 20 inches
			Dan River and tributaries downstream from	Only 2 of 5 largemouth or smallmouth bass

			the Union Street Dam, Danville	less than 14 inches
			James River – Confluence of the Jackson and Cowpasture rivers (Botetourt County) downstream to the 14th Street Bridge in Richmond	No largemouth or smallmouth bass 14 to 22 inches; only 1 largemouth or smallmouth bass in the aggregate per day longer than 22 inches
			New River – Fields Dam (Grayson County) downstream to the VA - WV state line and its tributaries Little River downstream from Little River Dam in Montgomery County, Big Walker Creek from the Norfolk Southern Railroad Bridge downstream to the New River, and Wolf Creek from the Narrows Dam downstream to the New River in Giles County (This does not include Claytor Lake, which is delineated as: The upper end of the island at Allisonia downstream to the dam)	No largemouth or smallmouth bass 14 to 22 inches; only 1 largemouth or smallmouth bass in the aggregate per day longer than 22 inches

			North Fork Holston River - Rt. 91 bridge upstream of Saltville, VA downstream to the VA - TN state line	No largemouth or smallmouth bass less than 20 inches; only 1 largemouth or smallmouth bass in the aggregate per day longer than 20 inches
			Potomac River - Virginia tidal tributaries above Rt. 301 bridge	No largemouth or smallmouth bass less than 15 inches from March 1 through June 15
			Roanoke (Staunton) River - and its tributaries below Difficult Creek, Charlotte County	Only 2 of 5 largemouth or smallmouth bass in the aggregate less than 14 inches
			Shenandoah River, South Fork Shenandoah River, North Fork Shenandoah River	No largemouth or smallmouth bass 11 to 14 inches
			Staunton River -	
			Leesville Dam (Campbell County) downstream to the mouth of Difficult Creek, Charlotte County	No largemouth or smallmouth bass less than 20 inches; only 1 largemouth or smallmouth bass in the aggregate per day longer than 20 inches
Alabama bass, spotted bass		No statewide daily limit No statewide length limit		
striped bass	landlocked striped bass and landlocked	4 per day in the aggregate	Buggs Island (Kerr) Reservoir, including the	October 1 - May 31: 2 per day in the aggregate;

	striped bass - white bass hybrids	No fish less than 20 inches	Staunton (Roanoke) River and its tributaries to Leesville Dam and the Dan River and its tributaries to Union Street Dam (Danville)	no striped bass or hybrid striped bass less than 20 inches or greater than 26 inches June 1 - September 30: 4 per day in the aggregate; no length limit
			Claytor Lake and its tributaries	September 16 – June 30: 2 per day in the aggregate; no striped bass or hybrid bass less than 20 inches July 1 – September 15: 4 per day in the aggregate; no length limit
			Smith Mountain Lake and its tributaries, including the Roanoke River upstream to Niagara Dam	2 per day in the aggregate November 1 - May 31: No striped bass 30 to 40 inches June 1 - October 31: No length limit
			Lake Gaston	4 per day in the aggregate October 1 - May 31: No striped bass or hybrid striped bass less than 20 inches June 1 - September 30: No length limit

	anadromous (coastal) striped bass above the fall line in all coastal rivers of the Chesapeake Bay and Crane Lake (City of Suffolk)	Creel and length limits shall be set by the Virginia Marine Resources Commission for recreational fishing in tidal waters		
	anadromous (coastal) in the Meherrin, Nottoway, Blackwater (Chowan Drainage), North Landing and Northwest Rivers and their tributaries plus Back Bay	No possession		
white bass		5 per day No statewide length limits	Buggs Island (Kerr) Reservoir, including the Staunton (Roanoke) River and its tributaries to Leesville Dam and the Dan River and its tributaries to Union Street Dam (Danville)	10 per day; no white bass less than 14 inches
			Lake Gaston	10 per day; no white bass less than 14 inches
walleye, saugeye		5 per day in the aggregate No walleye or saugeye less than 18 inches	Claytor Lake and the New River upstream of Claytor Lake Dam to Fries Dam in Grayson County	2 walleye per day; no walleye 19 to 28 inches
sauger		2 per day No statewide length limits		

yellow perch		No statewide daily limit No statewide length limits	Lake Moomaw	10 per day
			Below the fall line in all coastal rivers of the Chesapeake Bay	No yellow perch less than 9 inches; no daily limit
chain pickerel and northern pike		5 per day No statewide length limits	Gaston and Buggs Island (Kerr) Reservoirs	No daily limit
muskellunge		1 per day No muskellunge less than 40 inches	New River - Claytor Dam downstream to the VA - WV state line	1 per day June 1 - last day of February: No muskellunge 40 to 48 inches
				March 1 - May 31: No muskellunge less than 48 inches
bluegill (bream) and other sunfish excluding crappie, rock bass (redeye) and Roanoke bass		50 per day in the aggregate No statewide length limits	Gaston and Buggs Island (Kerr) Reservoirs, including the Staunton (Roanoke) River and its tributaries to Difficult Creek, Charlotte County and the Dan River and its tributaries to the Banister River, Halifax County and that portion of the New River from the VA - NC state line downstream to the confluence of the New and Little Rivers in Grayson County	No daily limit
crappie (black or white)		25 per day in the aggregate	Lake Gaston and that portion of the New River from the VA - NC state line	No daily limit

		No statewide length limits	downstream to the confluence of the New and Little Rivers in Grayson County	
			Buggs Island (Kerr) Reservoir, including the Staunton (Roanoke) River and its tributaries to Difficult Creek, Charlotte County and the Dan River and its tributaries to the Banister River, Halifax County	No crappie less than 9 inches
			Briery Creek and Sandy River Reservoirs	No crappie less than 9 inches
			Flannagan and South Holston Reservoirs	No crappie less than 10 inches
			Gaston and Buggs Island (Kerr) Reservoirs and that portion of the New River from the VA - NC state line downstream to the confluence of the New and Little Rivers in Grayson County	No daily limit
rock bass (redeye)		25 per day; in the aggregate with Roanoke bass No statewide length limits	Nottoway, Meherrin, Blackwater (Franklin County), Blackwater (Chowan Drainage), Falling, and Smith Rivers and their tributaries	5 per day in the aggregate with Roanoke bass; no rock bass less than 8 inches

Roanoke bass		25 per day in the aggregate with rock bass No statewide length limits	Nottoway, Meherrin, Blackwater (Franklin County), Blackwater (Chowan Drainage), Falling, and Smith Rivers and their tributaries	5 per day in the aggregate with rock bass; no Roanoke bass less than 8 inches
trout	See 4VAC15-330 . Fish: Trout Fishing.			
catfish	channel, white, and flathead catfish	20 per day; No length limits	All rivers below the fall line	No daily limit
	blue catfish	20 per day; No statewide length limits	Lake Gaston	No daily limit; except only 1 blue catfish per day longer than 32 inches
			Kerr Reservoir, including the Staunton (Roanoke) River and its tributaries to Difficult Creek, Charlotte County and the Dan River and its tributaries to the Banister River, Halifax County	20 per day; except only 1 blue catfish per day longer than 32 inches
			James River and its tributaries below the fall line, Rappahannock River and its tributaries below the fall line, and York River and its tributaries (including the Pamunkey River and Mattaponi River) below the fall line	No daily limit; except only 1 blue catfish per day longer than 32 inches
blue catfish		All rivers below the fall line other than	No daily limit	

			the James River and its tributaries, Rappahannock River and its tributaries, and the York River and its tributaries	
hickory shad	Above and below the fall line in all coastal rivers of the Chesapeake Bay	Creel and length limits shall be the same as those set by the Virginia Marine Resources Commission in tidal rivers		
	Meherrin River below Emporia Dam Nottoway River, Blackwater River (Chowan Drainage), North Landing and Northwest Rivers, and their tributaries plus Back Bay	10 per day No length limits		
American shad		No possession		
anadromous (coastal) alewife and blueback herring	Above and below the fall line in all coastal rivers of the Chesapeake Bay	Creel and length limits shall be the same as those set by the Virginia Marine Resources Commission for these species in tidal rivers		
	Meherrin River, Nottoway River, Blackwater River (Chowan Drainage), North Landing and Northwest Rivers, and their tributaries plus Back Bay	No possession		
red drum	Back Bay and tributaries including Lake	1 per day		

	Tecumseh and the North Landing River and its tributaries	No drum less than 18 inches or greater than 27 inches		
spotted sea trout (speckled trout)	Back Bay and tributaries including Lake Tecumseh and the North Landing River and its tributaries	4 per day No sea trout less than 14 inches		
grey trout (weakfish)	Back Bay and tributaries including Lake Tecumseh and North Landing River and its tributaries	1 per day No grey trout less than 12 inches		
southern flounder	Back Bay and tributaries including Lake Tecumseh and the North Landing River and its tributaries	6 per day No flounder less than 15 inches		
northern snakehead		Anglers may possess snakeheads taken from Virginia waters if they immediately kill the fish and notify the headquarters or a regional office of the department; notification may be made by telephoning (804) 367-2925 No statewide daily limit No statewide length limits		

longnose gar		July 1 to April 14: 5 per day April 15 to June 30: 1 per day No statewide length limits		
bowfin		July 1 to April 14: 5 per day April 15 to June 30: 1 per day No statewide length limits		
American eel		25 per day No eel less than 9 inches	Back Bay and North Landing River	No possession limit for those individuals possessing a permit obtained under 4VAC15-340-80
other native or naturalized nongame fish	See 4VAC15-360-10 . Fish: Aquatic Invertebrates, Amphibians, Reptiles, and Nongame Fish. Taking aquatic invertebrates, amphibians, reptiles, and nongame fish for private use.			
endangered or threatened fish	See 4VAC15-20-130 . Definitions and Miscellaneous: In General. Endangered and threatened species; adoption of federal list; additional species enumerated.			
nonnative (exotic) fish	See 4VAC15-30-40 . Definitions and Miscellaneous: Importation, Possession, Sale, Etc., of Animals. Importation requirements, possession and sale of nonnative (exotic) animals.			

Rationale:

During the 2025 session of the Virginia General Assembly, members passed HB2782, directing the Board of Wildlife Resources to remove the one-fish-per-day limit on the harvest of blue catfish in Virginia. In anticipation of that legislation becoming law on July 1, 2025, staff are pre-emptively recommending the related updates to the regulation to ensure regulatory alignment with law and reduce possible confusion among anglers.

Furbearer & Waterfowl Blind Regulations

4VAC15-160-31

Game: Opossum: Open season for trapping

Summary:

The recommendation is to include private lands where permission to trap has been granted by the landowner to the list of areas where there is a continuous open trapping season for this species.

Recommended language of amendment:

4VAC15-160-31. Open season for trapping.

It shall be lawful to trap opossum from November 15 through the last day of February, both dates inclusive, except there shall be a continuous open season to trap opossum within the incorporated limits of any city or town in the Commonwealth, ~~and~~ in the counties of Arlington, Chesterfield, Fairfax, Henrico, James City, Loudoun, Prince William, Spotsylvania, Stafford, Roanoke and York, and upon private lands throughout the Commonwealth with permission of the landowner.

Rationale:

The Code of Virginia (§29.1-517) enables a landowner to take furbearers during closed season under certain conditions. However, the Code section doesn't clearly extend this authority to the landowner's agent. Including the landowner and those to whom they grant permission to trap on their lands within the current continuous open season for trapping of opossums more clearly extends the landowner's authority within the Code to those whom permission has been granted to address specific issues involving opossums on their lands.

4VAC15-210-51

Game: Raccoon: Open season for trapping

Summary:

The recommendation is to include private lands where permission to trap has been granted by the landowner to the list of areas where there is a continuous open trapping season for this species.

Recommended language of amendment:

4VAC15-210-51. Open season for trapping.

It shall be lawful to trap raccoon from November 15 through the last day of February, both dates inclusive, except there shall be a continuous open season to trap raccoon within the incorporated limits of any city or town in the Commonwealth, ~~and~~ in the counties of Arlington, Chesterfield, Fairfax, Henrico, James City, Loudoun, Prince William, Spotsylvania, Stafford, Roanoke and York, and upon private lands throughout the Commonwealth with permission of the landowner.

Rationale:

The Code of Virginia (§29.1-517) enables a landowner to take furbearers during closed season under certain conditions. However, the Code section doesn't clearly extend this authority to the landowner's agent. Including the landowner and those to whom they grant permission to trap on their lands within the current continuous open season for trapping of raccoons more clearly extends the landowner's authority within the Code to those whom permission has been granted to address specific issues involving raccoons on their lands.

4VAC15-170-30

Game: Otter: Pelts to be sealed before sale, etc.

Summary:

The recommendation is to enable the Department to authorize individuals other than Department staffs to affix a CITES tag to an otter pelt to enhance efficiency of administering the CITES program in Virginia.

Recommended language of amendment:

4VAC15-170-30. Pelts to be sealed before sale, etc.

It shall be unlawful to buy, sell, barter, exchange, traffic or trade in, bargain for, solicit for, purchase or transport out of the Commonwealth, any otter pelts until the pelts have been sealed by an agent ~~of~~ **or other individual designated by** the department. This requirement shall not apply to licensed taxidermists who ship otter pelts out of state for tanning purposes or to individuals who ship otter pelts out of state to be tanned for personal use. All otter pelts required to be sealed under the provisions of this chapter must be sealed not later than April 1 of the license year in which the animal is taken.

Rationale:

The recommended change will allow for trappers to receive and affix a CITES tag to an otter pelt themselves after providing harvest information to the department. Currently only agents of the Department can affix CITES tags to otters. The recommended change will make it easier and more cost effective for trappers to receive the tags, improve the data collection process for otter harvest, and decrease the administrative burden on Department staff who currently administer most of the tags for otters.

This recommended change provide consistency with the current Department regulation for affixing CITES tags to bobcat pelts (4VAC15-170-30).

4VAC15-260-50

Game: Waterfowl Blinds: Blinds in the City of Virginia Beach.

Summary:

The recommendation is to clarify that the regulation allows for the purchase of new riparian stationary waterfowl blind licenses on shore in the City of Virginia Beach.

Recommended language of amendment:

4VAC15-260-50. Blinds in the City of Virginia Beach.

In the City of Virginia Beach, except for blinds and floating blind sites which may be erected by the department, no new blinds in the public waters shall be erected and no licenses shall be issued for the erection of new ~~shore or~~ stationary water blinds ~~upon the shores or~~ in the public waters, nor may floating or mat blinds anchor within 500 yards of the shores of lands or blinds owned or controlled by the department except floating blinds may be stationed at sites designated by the department. Blinds and floating blind sites erected by the department shall not be licensed, but there shall be a metal plate affixed to such blinds for identification purposes.

Rationale:

The intent of this regulation was to prevent new stationary blinds from being licensed in the public waters in the City of Virginia Beach not to prevent new stationary blinds from being licensed on land. The amendment aligns the regulation with state code 29.1-340.

Firearms Regulations

4VAC15-40-60

Game: In General: Hunting with dogs or possession of weapons in certain locations during closed season.

Summary:

The recommendation is to repeal this regulation as the language within most subsections is not consistent with the Second Amendment of the United States Constitution.

Recommended language of amendment:

~~4VAC15-40-60. Hunting with dogs or possession of weapons in certain locations during closed season.~~

~~A. Department-owned and national forest lands statewide. It shall be unlawful to have in possession a firearm or any hunting weapon that is not unloaded and cased or dismantled on all national forest lands statewide and on department-owned lands and on other lands managed by the department under cooperative agreement except during the period when it is lawful to take bear, deer, grouse, pheasant, quail, rabbit, raccoon, squirrel, turkey, waterfowl, or migratory gamebirds on these lands.~~

~~B. Certain counties. Except as otherwise provided in 4VAC15-40-70, it shall be unlawful to have either a shotgun or a rifle in one's possession when accompanied by a dog in the daytime in the fields, forests or waters of the Counties of Augusta, Clarke, Frederick, Page, Shenandoah, and Warren, and in the counties east of the Blue Ridge Mountains, except Patrick, at any time except the periods prescribed by law to hunt game birds and animals.~~

~~C. Shooting ranges and authorized activities. The provisions of this section shall not prohibit the conduct of any activities authorized by the board or the establishment and operation of archery and shooting ranges on the lands described in subsections A and B of this section. The use of firearms or any hunting weapon in such ranges during the closed season period will be restricted to the area within the established range boundaries. Such weapons shall be required to be unloaded and cased or dismantled in all areas other than the range boundaries. The use of firearms or any hunting weapon during the closed hunting period in such ranges shall be restricted to target shooting only, and no birds or animals shall be molested.~~

~~D. It shall be unlawful to chase with a dog or train dogs on national forest lands or department-owned lands except during authorized hunting, chase, or training seasons that specifically permit these activities on these lands or during raccoon hound field trials on these lands between September 1 and March 31, both dates inclusive, that are sanctioned by bona fide national kennel clubs and authorized by permits issued by the department or the U.S. Forest Service.~~

~~E. It shall be unlawful to possess or transport any loaded firearm or loaded hunting weapon in or on any vehicle at any time on national forest lands or department-owned lands.~~

~~F. The provisions of this section shall not prohibit the possession, transport, and use of loaded firearms by employees of the Department of Wildlife Resources while engaged in the performance of their authorized and official duties, nor shall it prohibit possession and transport~~

~~of loaded concealed handguns where the individual possesses a concealed handgun permit as defined in § 18.2-308 of the Code of Virginia.~~

~~G. Meaning of "possession" of any hunting weapon and definition of "loaded crossbow," "loaded arrowgun," "loaded muzzleloader," and "loaded firearm." For the purpose of this section, the word "possession" shall include having any firearm or weapon used for hunting in or on one's person, vehicle, or conveyance. For the purpose of this section, a "loaded firearm" means a firearm in which ammunition is chambered or loaded in the magazine or clip when such magazine or clip is engaged or partially engaged in a firearm. The definition of a "loaded muzzleloader" will include a muzzleloading rifle, pistol, or shotgun that is capped, has a charged pan, or has a primer or battery installed in the muzzleloader. A "loaded crossbow" means a crossbow that is cocked and has either a bolt or arrow engaged or partially engaged on the shooting rail or track of the crossbow, or with a "trackless crossbow" when the crossbow is cocked and a bolt or arrow is nocked. "Loaded arrowgun" means an arrowgun that has an arrow or bolt inserted on the arrow rest or in the barrel. "Hunting weapon" means any weapon allowable for hunting as defined in § 29.1-519 of the Code of Virginia.~~

Rationale:

It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. As much of the language of this regulation is not consistent with an individual's right under the Second Amendment, the recommendation is to repeal this regulation. Subsections of this regulation pertaining to shooting ranges on department-owned lands and hunting with dogs on National Forest and department-owned lands will be retained as separate, new regulations, and as appropriate, language within those new regulations will ensure consistency with an individual's right under the Second Amendment.

4VAC15-40-61 (New)

Game: In General: Hunting and trapping on National Forest, state forest, and department-owned or managed lands.

Summary:

The recommendation is to (i) establish a regulation outlining the period during which hunting and trapping may occur on national forest and department-owned and managed lands that maintains the current timeframe for hunting and trapping on these lands, and (ii) include state forest lands in this regulation as these lands are managed similar to National Forest and department-owned and managed lands.

Recommended language of amendment:

4VAC15-40-61. Hunting and trapping on National Forest, state forest, and department-owned or managed lands.

A. Except as provided in subsection B of this regulation, it shall be unlawful to hunt or trap, as defined in §29.1-100, on all national forest lands and state forest lands statewide and on department-owned and managed lands except during the period when it is lawful to take bear, deer, grouse, pheasant, quail, rabbit, raccoon, squirrel, turkey, waterfowl, or migratory gamebirds on these lands.

B. It shall be lawful to chase with a dog or train dogs on national forest lands, state forest lands, or department-owned and managed lands during authorized hunting, chase, or training seasons that specifically permit these activities on these lands or during raccoon hound field trials on these lands between September 1 and March 31, both dates inclusive, that are sanctioned by bona fide national kennel clubs and authorized by permits issued by the department or the U.S. Forest Service. Otherwise, such activities on these lands shall be unlawful.

Rationale:

- (i) While 4VAC15-40-60 is recommended for repeal because much of the language of the regulation is not consistent with an individual's Second Amendment right, one aspect of that regulation which should be retained is a provision outlining the times when hunting and trapping, including hunting with dogs, can occur on National Forest and department-owned and managed lands. This recommendation ensures that opportunities to hunt and trap on these lands remain consistent with current practices and ensures consistency with an individual's right under the Second Amendment in conjunction with use of national forest and department-owned lands.
- (ii) The State Forests are managed for multiple resources and provide many user groups outdoor opportunities other than hunting. The management on the State Forests are similar to those of the Department lands and the National Forests. Adding State Forests to the regulations where Department Lands and National Forests impose seasonal limits, would encompass those public lands which are operated in a like manner.

4VAC15-40-62 (New)

Game: In General: Shooting ranges on department-owned and managed lands.

Summary:

The recommendation is to establish a regulation providing for the use of firearms on shooting ranges located on department-owned and managed lands that is consistent with an individual's right under the Second Amendment.

Recommended language of amendment:

4VAC15-40-62. Shooting ranges on department-owned and managed lands.

Target shooting is prohibited on department-owned and managed lands, except in designated shooting ranges designed for certain firearms and hunting weapons on posted days and hours during which the range is open for operation. The use of firearms or any hunting weapon, as defined in §29.1-519, in such ranges during the closed hunting period will be restricted to the area within the established range boundaries. It shall be unlawful to shoot at birds or animals while using the range.

Rationale:

While 4VAC15-40-60 is recommended for repeal because much of the language of the regulation is not consistent with an individual's Second Amendment right, one aspect of that regulation which should be retained is a provision for target shooting at designated ranges on department-owned and managed lands. This recommendation ensures continued availability of target shooting at existing shooting ranges without changing operational details and ensures consistency with an individual's right under the Second Amendment in conjunction with use of department-owned lands.

4VAC15-40-70

Game: In General: Open dog training season

Summary:

The recommendation is to (i) update the names of the military bases listed in this regulation, and (ii) clarify language regarding the “possession” of firearms while training dogs to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of amendment:

4VAC15-40-70. Open dog training season.

A. Private lands and certain military areas. It shall be lawful to train dogs during daylight hours on squirrels and nonmigratory game birds on private lands, and on rabbits and nonmigratory game birds on Fort ~~A. P. Hill~~Walker, Fort ~~Pickett~~Barfoot, and ~~Quantico Marine Reservation~~Marine Corps Base Quantico. Participants in this dog training season shall not ~~have use~~ any weapons other than starter pistols ~~in their possession to train dogs~~, must comply with all regulations and laws pertaining to hunting, and no game shall be taken; provided, however, that weapons may be ~~in possession used~~ on private lands when training dogs on captive raised and properly marked mallards and pigeons so that they may be immediately shot or recovered.

B. It shall be lawful to train dogs on rabbits on private lands from 1/2 hour before sunrise to midnight.

C. Designated portions of certain department-owned lands. It shall be lawful to train dogs on quail on designated portions of the Amelia Wildlife Management Area, Cavalier Wildlife Management Area, Chester F. Phelps Wildlife Management Area, Chickahominy Wildlife Management Area, Dick Cross Wildlife Management Area, Mattaponi Wildlife Management Area, and White Oak Mountain Wildlife Management Area from September 1 to the day prior to the opening date of the quail hunting season, both dates inclusive. Participants in this dog training season shall not ~~have use~~ any weapons other than starter pistols ~~in their possession to train dogs~~, shall not release pen-raised birds, must comply with all regulations and laws pertaining to hunting, and no game shall be taken.

D. Designated department-owned lands. It shall be lawful to train dogs during daylight hours on rabbits and nonmigratory game birds on the Weston Wildlife Management Area from September 1 to March 31, both dates inclusive. Participants in this dog training season shall not ~~have use~~ any weapons other than starter pistols ~~in their possession to train dogs~~, shall not release pen-raised birds, must comply with all regulations and laws pertaining to hunting, and no game shall be taken.

Rationale:

- (i) The Department of Defense recently updated the names of several military bases. The recommended amendment would bring this regulation in alignment with these updated base names.
- (ii) It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms

isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

4VAC15-210-10

Game: Raccoon: Open season; raccoon chase on areas open to bear hound training; possession of certain devices unlawful.

Summary:

The recommendation is to clarify language regarding the possession of a firearm and other weapons while engaged in the act of chasing a raccoon to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of amendment:

4VAC15-210-10. Open season; raccoon chase on areas open to bear hound training; possession of certain devices unlawful.

A. Except as otherwise specifically provided in the sections appearing in this chapter, there shall be a continuous open season for chasing raccoon with dogs, without capturing or taking, except on department-controlled lands west of the Blue Ridge Mountains and on national forest lands.

B. It shall be lawful to chase raccoon with dogs, without capturing or taking, on department-controlled lands west of the Blue Ridge Mountains and on national forest lands where bear hound training is permitted during the season dates specified in 4VAC15-50-120.

C. It shall be unlawful to ~~have in possession use for the purpose of chasing or taking a raccoon~~ a firearm, bow, ~~or~~ crossbow, ~~and have in possession an~~ axe, saw, or any tree climbing device while hunting during this chase season. ~~The meaning of "possession" for the purpose of this section shall include, but not be limited to, having these devices in or on one's person, vehicle, or conveyance while engaged in the act of chasing.~~

Rationale:

It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

4VAC15-70-60

Game: Bobcat: Archery hunting with bow and arrow, crossbow, or slingbow.

Summary:

The recommendation is to clarify language regarding the possession of a firearm during the bobcat archery season to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of amendment:

4VAC15-70-60. Archery hunting with bow and arrow, crossbow, or slingbow.

A. Season. It shall be lawful to hunt bobcats with bow and arrow, crossbow, or slingbow from the first Saturday in October through October 31, both dates inclusive.

B. ~~Carrying~~ Using firearms to hunt prohibited. It shall be unlawful to ~~carry~~ use firearms to hunt any game species while hunting with bow and arrow, crossbow, or slingbow during the special archery seasons.

C. Use of dogs prohibited during the special archery season. It shall be unlawful to use dogs when hunting with bow and arrow, crossbow, or slingbow during any special archery season.

Rationale:

It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

4VAC15-240-60

Game: Turkey: Archery Hunting

Summary:

The recommendation is to clarify language regarding the possession of a firearm during the archery season for turkeys to ensure consistency with the Second Amendment of the United States Constitution.

Recommended language of amendment:

4VAC15-240-60. Archery hunting.

A. Season. It shall be lawful to hunt turkey with archery equipment or a slingbow in those counties and areas open to fall turkey hunting from the first Saturday in October through the Friday prior to the third Monday in November, both dates inclusive.

B. Bag limit. The daily and seasonal bag limit for hunting turkey with archery equipment or a slingbow shall be the same as permitted during the general turkey season in those counties and areas open to fall turkey hunting, and any turkey taken shall apply toward the total season bag limit.

C. ~~Carrying Using~~ firearms ~~to hunt~~ prohibited. It shall be unlawful to ~~carry use~~ firearms ~~to hunt any game species~~ while hunting with archery equipment or a slingbow during the special archery season.

D. Use of dogs prohibited during archery season. It shall be unlawful to use dogs when hunting with archery equipment from the first Saturday in October through the Saturday prior to the second Monday in November, both dates inclusive.

Rationale:

It is well established through historical application and case law that the Second Amendment of the United States Constitution provides for the right to keep and bear arms and that this right shall not be infringed. While the right to keep and bear arms isn't unlimited and there are certain circumstances and situations where such right is restricted, these restrictions apply to background checks, felony convictions, and possession in sensitive locations. As recent case law continues to clarify that such restrictions don't apply to department-owned and managed lands or hunting situations, Department staffs have reviewed relevant regulations to ensure the consistency of these regulations with an individual's right under the Second Amendment. While an individual's rights under Second Amendment may permit possession of a firearms in many circumstances, the right to such possession doesn't authorize the use of a firearm for hunting. Lawful use of firearms for hunting remains controlled by applicable laws and regulations.

VIRGINIA DEPARTMENT OF WILDLIFE RESOURCES

BOATING AND ADMINISTRATIVE REGULATIONS

Staff Recommendations March 2025



Summary of Proposed Changes to Boating Regulations:

- 4VAC15-410-30 – REPEAL – Phase in is complete and schedule is now obsolete
- 4VAC15-410-40 - B – AMEND to clarify the minimum standards for boating safety education course competency
- 4VAC15-410-50 A-D – REPEAL current section A, amend Section B, and renumber sections to clarify responsibilities of course providers
- 4VAC15-410-70 – AMEND to combine 4VAC15-410-80 into this section and reduce redundant language found in sections regarding course certificates and student records
- 4VAC15-410-80 – REPEAL – necessary pieces to be incorporated into section 70
- 4VAC15-410-90 – AMEND section on Instructor Certification to simplify section eliminate redundant language in regulation
- 4VAC15-410-100-B – REPEAL section B regarding the specific requirements of an open-book test. This can be managed through internal policy.
- 4VAC15-410-110 A and C – AMEND – Eliminate redundant language in regulation that is already included in definition of equivalency exam. REPEAL section C as this re-iterates what is already in the definitions.
- 4VAC15-410-130 – AMEND Section A to include one sentence from section B. Section B will be REPEALED
- 4VAC15-410-140 – AMEND Section B to eliminate unnecessary specifications on the contents of an application or the documentation required. REPEAL section D as that is no longer the process for obtaining a replacement card.
- 4VAC15-430-60 – AMEND – Remove section 4 as it is already stated in 4VAC-15-430-30 Section 3.
- 4VAC15-430-150 – AMEND to clarify the requirement. Existing regulation is related to the building of a vessel.
- 4VAC15-430-160 – AMEND to provide correct web address.
- 4VAC15-430-170 – AMEND to remove section D which is not required by CFR
- 4VAC15-430-210 – AMEND to clarify the requirement. Existing regulation is related to the building of a vessel.
- 4VAC-15-400 – AMEND forms to remove all except the Virginia Boating Incident Report form

Not Boating Related

- 4VAC15-20-120. REPEAL as this is not the current practice of the agency.

Virginia Administrative Code
Title 4. Conservation And Natural Resources
Agency 15. Department of Wildlife Resources
Chapter 410. Watercraft: Boating Safety Education

4VAC15-410-30. ~~Compliance schedule and phase-in provisions: (REPEALED)~~

~~The requirements for boating safety education shall be phased in according to the following provisions:~~

- ~~1.—Personal watercraft operators 20 years of age or younger shall meet the requirements by July 1, 2009;~~
- ~~2.—Personal watercraft operators 35 years of age or younger shall meet the requirements by July 1, 2010;~~
- ~~3.—Personal watercraft operators 50 years of age or younger and motorboat operators 20 years of age or younger shall meet the requirements by July 1, 2011;~~
- ~~4.—All personal watercraft operators, regardless of age, and motorboat operators 30 years of age or younger shall meet the requirements by July 1, 2012;~~
- ~~5.—Motorboat operators 40 years of age or younger shall meet the requirements by July 1, 2013;~~
- ~~6.—Motorboat operators 45 years of age or younger shall meet the requirements by July 1, 2014;~~
- ~~7.—Motorboat operators 50 years of age or younger shall meet the requirements by July 1, 2015;~~
- ~~8.—All motorboat operators, regardless of age, shall meet the requirements by July 1, 2016.~~

Statutory Authority

§§ 29.1-701, 29.1-735, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008.

4VAC15-410-40. Provisions for compliance and minimum standards for boating safety education course competency.

A. A person shall be considered in compliance with the requirements for boating safety education if he meets one or more of the following provisions pursuant to § 29.1-735.2 B 1 through 9 of the Code of Virginia:

1. Completes and passes a boating safety education course;
2. Passes an equivalency exam;
3. Possesses a valid license to operate a vessel issued to maritime personnel by the United States Coast Guard or a marine certificate issued by the Canadian government or possesses a Canadian Pleasure Craft Operator's Card. For the purposes of this subsection a license is considered valid regardless of whether the license is current;
4. Possesses a temporary operator's certificate;
5. Possesses a rental or lease agreement from a motorboat or personal watercraft rental or leasing business that lists the person as the authorized operator of the motorboat;
6. Operates the motorboat under onboard direct supervision of a person who meets the requirements of this section;
7. Is a nonresident temporarily using the waters of Virginia for a period not to exceed 90 days (which means operating a boat not registered in Virginia), and meets any applicable boating safety education requirements of the state of residency, or possesses a Canadian Pleasure Craft Operator's Card;
8. Has assumed operation of the motorboat or personal watercraft due to the illness or physical impairment of the initial operator, and is returning the motorboat or personal watercraft to shore in order to provide assistance or care for the operator; or
9. Is or was previously registered as a commercial fisherman pursuant to § 28.2-241 of the Code of Virginia or is under the onboard direct supervision of the commercial fisherman while operating the commercial fisherman's boat. For the purpose of operating a recreational vessel, a registered commercial fishing license is considered valid regardless of whether the license is current.

B. The minimum standards for boating safety education course competency required by the department *are a passing score of 70% on a closed-book written test upon completion of an in-person classroom boating safety education course, a passing score of 90% on an open-book written test upon completion of an in-person classroom boating safety education course, a passing score of 90% on a self-administered test in conjunction with the course material of a boating safety education course delivered through the internet, or a score of at least 80% on a proctored equivalency exam.* †

- ~~1.—Successful completion of a classroom boating safety education course in person and a passing score of at least 70% on a written test administered closed-book at the conclusion of the course by the designated course instructor(s) or other designated course assistant;~~
- ~~2.—Successful completion of a classroom boating safety education course in person and a passing score of at least 90% on a written test administered open-book at the conclusion of the course by the designated course instructor(s) or other designated course assistant;~~
- ~~3.—Successful completion of a boating safety education course offered through the Internet or through an electronic format such as CD-ROM and a passing score of at least 90% on a self-test administered in conjunction with the course material; or~~

~~4.—A score of at least 80% on a proctored equivalency exam.~~

Statutory Authority

§§ 29.1-103, 29.1-501, 29.1-502, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008; amended, Virginia Register Volume 27, Issue 10, eff. January 1, 2011; Volume 29, Issue 9, eff. January 1, 2013.

4VAC15-410-50. Boating safety education course provider requirements.

~~A.—To be an approved course provider, any individual, business, or organization that instructs or provides a boating safety education course shall execute and have on file a cooperative agreement with the department. It shall be the responsibility of the state boating law administrator to develop and execute such agreements. A list of approved course providers and boating safety education courses shall be kept by the department and made available to the public. Such list does not constitute any endorsement of any course or course provider by the department or the board~~

- ~~B:~~ A. As of January 1, 2009, *any* boating safety education courses offered by providers other than through the Internet and accepted by the department shall:
- a. Be approved by NASBLA *and the department in accordance with the National Boating Education Standards, updated January 1, 2012,* for course content/testing; and
 - b. Be provided only by an approved course provider who has executed a valid cooperative agreement with the department. Such agreements may be amended at any time by the department and may be cancelled with 30 days notice upon failure of the course provider to comply with the terms and conditions of the agreement or its amendments.

~~C:~~ B. Any material and/or products to be used by an approved course provider that make reference to the department must be approved by the department, through the state boating law administrator, before publishing and/or distribution to the public.

~~D:~~ C. Any fees charged by a course provider are set by the course provider, but must be clearly communicated to the student prior to taking the course.

Statutory Authority

§§ 29.1-701, 29.1-735, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008; amended, Virginia Register Volume 28, Issue 10, eff. January 1, 2012.

4VAC15-410-70. Boating safety education course certificates, *record keeping, and student records*.

A. Upon successful completion of a boating safety education course *or proctored equivalency exam*, the approved course provider shall provide the student with a course certificate and/or pocket-size card. At a minimum, such certificate/card shall include the student's name and date of birth, the issuance date, the name of the course, and indication of NASBLA course approval and acceptance by the department. ~~On a schedule and in a manner mutually agreed to through a cooperative agreement, each approved course provider shall provide to the department a copy of the record of those students issued a course certificate and/or pocket-size card. Upon request by the student and subject to verification of successful course completion, it shall be the responsibility of each approved course provider to issue duplicate certificates/cards.~~

~~B. Upon successful completion of the proctored equivalency exam, the department shall issue a completion certificate and/or card, which shall include the person's name, date of birth, and the issuance date. Upon request by the person to whom the certificate/card was originally issued and subject to verification of successful completion, the department shall issue a duplicate certificate/card.~~

~~B. The department shall maintain a database of all students successfully completing the department's classroom-based boating safety education course and all persons successfully completing the equivalency exam. Such database shall include, but not be limited to, student name, address, date of birth, course/equivalency exam completion date, and the specific name of the course.~~

~~C. Each approved course provider for boating safety education course shall maintain a database of all students successfully completing such course. The database shall include, but not be limited to, student name, address, date of birth, course completion date, and the specific name of the course. On a schedule and in a manner mutually agreed to through a cooperative agreement, each approved course provider shall provide to the department a copy of the record of those students successfully completing their course. Such record shall include the database information referenced in section B. It shall be the responsibility of each approved course provider to ensure that reasonable measures, such as the Payment Card Industry (PCI) data security measures, are taken to protect any acquired student data. Further, such data shall not be sold or otherwise used in any way except for the student's own completion of a boating safety education course and issuance of course completion documents.~~

Statutory Authority

§§ 29.1-701, 29.1-735, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008.

4VAC15-410-80. ~~Recordkeeping and student records. (REPEALED)~~

~~A. — The department shall maintain a database of all students successfully completing the department's classroom-based boating safety education course and all persons successfully completing the equivalency exam. Such database shall include, but not be limited to, student name, address, date of birth, course/equivalency exam completion date, and the specific name of the course. On a schedule and in a manner mutually agreed to through a cooperative agreement, each approved course provider for other classroom-based boating safety education courses shall provide to the department a copy of the record of those students successfully completing such course and the department may add this information to the student database. A change in student address will be made only upon receipt of a written request from the affected student.~~

~~B. — Each approved course provider for boating safety education courses offered over the Internet or through an electronic format such as CD-ROM shall maintain a database of all students successfully completing such course. The database shall include, but not be limited to, student name, address, date of birth, course completion date, and the specific name of the course. On a schedule and in a manner mutually agreed to through a cooperative agreement, each approved course provider shall provide to the department a copy of the record of those students successfully completing their course. Such record shall include the database information referenced in this section. It shall be the responsibility of each approved course provider to ensure that reasonable measures, such as the Payment Card Industry (PCI) data security measures, are taken to protect any acquired student data. Further, such data shall not be sold or otherwise used in any way except for the student's own completion of a boating safety education course and issuance of course completion documents.~~

Statutory Authority

§§ 29.1-701, 29.1-735, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008.

4VAC15-410-90. Instructor certification.

A. To be certified as a boating safety education course instructor for the department's classroom-based boating safety education course, a person shall have successfully completed a classroom-based boating safety education course and be certified as an instructor by the United States Coast Guard Auxiliary, or the United States Power Squadrons®, or the National Safe Boating Council, or another certification program accepted by the department.

B. Applicants for certified instructor shall submit an application to the department on a form and in a manner determined by the state boating law administrator. ~~At a minimum, the application shall include:~~

- ~~1. The applicant's name;~~
- ~~2. The applicant's street address;~~
- ~~3. The applicant's telephone number;~~
- ~~4. The applicant's email address, if any;~~
- ~~5. Information describing the applicant's experience and training in boating safety and seamanship and proof of completion of a NASBLA-approved boating safety education course; and~~
- ~~6. Any other information deemed necessary after review of the initial application.~~

C. Applicants may be required to submit a written consent for a criminal history background check in a manner determined by the Law Enforcement Division of the department.

Statutory Authority

§§ 29.1-701, 29.1-735, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008.

4VAC15-410-100. Provisions for open-book tests for classroom courses.

A. A boating safety education course offered in a classroom setting by either the department or an approved course provider shall offer the student the option of taking the end-of-course exam either closed-book or open-book. The minimum standards for boating safety education course competency shall be as provided for in 4VAC15-410-40 B 1 and 2.

~~B. In taking the exam open-book, the student may use the course text, instructor handouts, any related course material, and any personal notes taken during the class instruction to assist in the completion of the exam. The exam must be completed in a single session with a time limit not to exceed two hours.~~

Statutory Authority

§§ 29.1-701, 29.1-735, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008.

4VAC15-410-110. Equivalency exam criteria.

A. The department shall develop and make available a written equivalency exam to test the knowledge of information included in the curriculum of a boating safety education course. ~~Such exam shall provide experienced and knowledgeable boaters with the opportunity to meet the boating safety education compliance requirement set forth in § 29.1-735.2 of the Code of Virginia without having to take and successfully complete a boating safety education course.~~

B. The equivalency exam shall be proctored by an individual(s) specifically designated by the department. The use of reference materials shall not be allowed while the exam is being administered and the exam shall be completed in a single session with a time limit not to exceed three hours. A person who fails an equivalency exam the second time is required to complete a NASBLA approved boating safety education course that is accepted by the department.

~~A. — The equivalency exam shall be comprised of no less than 75 nor more than 100 exam questions and a minimum score of at least 80% shall be considered passing. Upon successful completion, an exam certificate and/or card shall be issued to the person completing the exam.~~

Statutory Authority

§§ 29.1-103, 29.1-501, 29.1-502, 29.1-701, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008; amended, Virginia Register Volume 29, Issue 9, eff. January 1, 2013.

4VAC15-410-130. Temporary operator's certificate.

A. The registered owner(s) of a motorboat or personal watercraft, if the boat is new or was sold with a transfer of ownership, shall be issued with the certificate of number for the motorboat or personal watercraft a temporary operator's certificate that shall allow the owner(s) to operate such boat in Virginia for 90 days. *A temporary operator's certificate shall not be renewable.*

~~B. A temporary operator's certificate shall be issued by the department, by any person authorized by the director to act as an agent to issue a certificate of number pursuant to § 29.1-706 of the Code of Virginia, or by a license agent of the department authorized to issue a temporary registration certificate for a motorboat. A temporary operator's certificate shall not be renewable.~~

Statutory Authority

§§ 29.1-701, 29.1-735, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008.

4VAC15-410-140. Virginia Boater Education Cards.

- A. The department may establish an optional long-lasting and durable Virginia Boater Education Card for issuance to persons who can show that they have met the minimum standard of boating safety education course competency or who possesses a valid license to operate a vessel issued to maritime personnel by the United States Coast Guard or a marine certificate issued by the Canadian government or possesses a Canadian Pleasure Craft Operator's Card or possesses a commercial fisherman registration pursuant to § 28.2-241 of the Code of Virginia.
- B. To obtain an optional Virginia Boater Education Card, a person must provide to the department:
 - 1. A completed application on a form provided by the department. ~~The application shall require the applicant's name, current mailing address, and date of birth.~~ The applicant must also sign a statement declaring that statements made on the form are true and correct and that all documents submitted with the form are true and correct copies of documents issued to the applicant. Incomplete applications will be returned to the applicant;.
 - 2. A copy of the documentation ~~(such as the boating safety education course completion certificate/wallet card or equivalency exam completion certificate/card)~~ that indicates that the minimum standards for boating safety education course competency have been met. Such documents must contain the name of the individual applying for the Virginia Boater Education Card. The department may require the applicant to provide the original document in the event that the copy submitted with the application is illegible or if the authenticity of the copy is not certain.
- C. Upon receipt by the applicant, the optional Virginia Boater Education Card will serve in lieu of any other certificates or cards that have been issued to the bearer as a result of meeting the minimum standards for boating safety education course competency. As such, the Virginia Boater Education Card will not be transferable or revocable and will have no expiration date.
- ~~D.—A person may apply, on a form provided by the department, for a replacement Virginia Boater Education Card. A replacement card may be issued if the original card is lost, stolen or destroyed, if misinformation is printed on the card, or if the bearer has legally changed their name. The application shall include an affidavit stating the circumstances that led to the need for replacement of the original card.~~

Statutory Authority

§§ 29.1-103, 29.1-501, 29.1-502, 29.1-701, and 29.1-735.2 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 23, eff. July 1, 2008; amended, Virginia Register Volume 29, Issue 9, eff. January 1, 2013.

Virginia Administrative Code
Title 4. Conservation And Natural Resources
Agency 15. Department of Wildlife Resources
Chapter 430. Watercraft: Safety Equipment Requirements

4VAC15-430-60. Personal flotation device condition; size and fit; approval marking.

It shall be unlawful to use a recreational vessel unless each PFD required by 4VAC15-430-30 or allowed by 4VAC15-430-40 is:

1. In serviceable condition as provided in 4VAC15-430-70;
2. Of an appropriate size and fit for the intended wearer, as marked on the approval label;
3. Legibly marked with its U.S. Coast Guard approval number; and
- ~~4. Used in accordance with any requirements or restrictions on the approval label.~~

Statutory Authority

§§ 29.1-501, 29.1-502, 29.1-701, 29.1-701.1 and 29.1-735 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 19, Issue 5, eff. January 1, 2003; amended, Virginia Register Volume 22, Issue 6, eff. March 1, 2006.

4VAC15-430-150. Ventilation.

No person shall operate a boat built after July 31, 1980, that has a gasoline engine for electrical generation, mechanical power, or propulsion unless it is equipped with an operable ventilation system that meets the requirements of 33 CFR 183.610 (a), (b), (c), (d), (e), and (f) and 183.620 (a) as established by the U.S. Coast Guard.

~~A. — All motorboats or motor vessels, except open boats and as provided in subsections D and E of this section, the construction or decking over of which is commenced after April 25, 1940, and which use fuel having a flashpoint of 110°F, or less, shall have at least two ventilator ducts, fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gases from the bilges of every engine and fuel tank compartment. There shall be at least one exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least one intake duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowls shall be located and trimmed for maximum effectiveness and in such a manner so as to prevent displaced fumes from being recirculated.~~

~~B. — As used in this section, the term open boats means those motorboats or motor vessels with all engine and fuel tank compartments, and other spaces to which explosive or flammable gases and vapors from these compartments may flow, open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.~~

~~C. — Vessels built after July 31, 1980, which are manufactured or used primarily for noncommercial use; which are leased, rented, or chartered to another for the latter's noncommercial use; which are engaged in the carriage of six or fewer passengers for consideration; or which are in compliance with the requirements of the U.S. Coast Guard are exempted from these requirements.~~

~~D. — Vessels built after July 31, 1978, which are manufactured or used primarily for noncommercial use; which are rented, leased, or chartered to another for the latter's noncommercial use; or which engage in conveying six or fewer passengers for consideration are exempted from the requirements of subsection A of this section for fuel tank compartments that:~~

- ~~1. — Contain a permanently installed fuel tank if each electrical component is ignition protected; and~~
- ~~2. — Contain fuel tanks that vent to the outside of the boat.~~

Statutory Authority

§§ 29.1-501, 29.1-502, 29.1-701, and 29.1-735 of the Code of Virginia.
Historical Notes

Derived from Virginia Register Volume 19, Issue 5, eff. January 1, 2003.

4VAC15-430-160. Fire extinguishing equipment application and general provisions.

A. The provisions of this section through 4VAC15-430-210, with the exception of 4VAC15-430-200, shall apply to all vessels contracted for on or after November 19, 1952. Vessels contracted for prior to that date shall meet the requirements of 4VAC15-430-200.

B. Where equipment in this section is required to be of an approved type, such equipment requires the specific approval of the U.S. Coast Guard. A listing of current and formerly approved equipment and materials may be found at <https://cgmix.uscg.mil/equipment> <https://cgmix.uscg.mil/%u200Bequipment> .

C. All hand-portable fire extinguishers, semiportable fire extinguishing systems, and fixed fire extinguishing systems shall be of a type approved by the U.S. Coast Guard and shall have an efficient charge and be in good and serviceable condition as referenced in 4VAC15-430-170.

Statutory Authority

§§29.1-501, 29.1-502, 29.1-701, 29.1-701.1, and 29.1-735 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 19, Issue 5, eff. January 1, 2003; amended, Virginia Register Volume 22, Issue 6, eff. March 1, 2006; Volume 39, Issue 9, eff. January 1, 2023.

4VAC15-430-170. Hand-portable fire extinguishers and semiportable fire extinguishing systems.

- A. Hand-portable fire extinguishers and semiportable fire extinguishing systems are classified by a combination letter and number symbol, the letter indicating the type of fire that the unit could be expected to extinguish, and the number indicating the relative size of the unit.
- B. For the purpose of this section, all required hand-portable fire extinguishers and semiportable fire extinguishing systems are of the "B" type; that is, suitable for extinguishing fires involving flammable liquids, greases, etc.
- C. All fire extinguishers must be on board and readily accessible, in good and serviceable working condition, and comply with the following:
 - 1. If the extinguisher has a pressure gauge reading or indicator, it must be in the operable range or position.
 - 2. The extinguisher may not be expired or appear to have been previously used.
 - 3. The lock pin is firmly in place.
 - 4. The discharge nozzle is clean and free of obstruction.
 - 5. The extinguisher does not show visible signs of significant corrosion or damage.

~~D. All hand-portable fire extinguishers and semiportable fire extinguishing systems shall have permanently attached thereto a metallic name plate giving the name of the item, the rated capacity in gallons, quarts, or pounds, the name and address of the person or firm for whom approved, and the identifying mark of the actual manufacturer.~~

~~E. D.~~ Vaporizing-liquid type fire extinguishers containing carbon tetrachloride or chlorobromomethane or other toxic vaporizing liquids are not acceptable as equipment required by this section.

~~F. E.~~ Hand-portable or semiportable extinguishers that are required on their name plates to be protected from freezing shall not be located where freezing temperatures may be expected.

~~G. F.~~ The use of dry chemical, stored pressure, fire extinguishers not fitted with pressure gauges or indicating devices, manufactured prior to January 1, 1965, may be permitted on motorboats and other vessels so long as such extinguishers are maintained in good and serviceable condition. The following maintenance and inspections are required for such extinguishers:

- 1. When the date on the inspection record tag on the extinguishers shows that six months have elapsed since last weight check ashore, then such extinguisher is no longer accepted as meeting required maintenance conditions until reweighed ashore and found to be in a serviceable condition and within required weight conditions.
- 2. If the weight of the container is one-fourth ounce less than that stamped on container, it shall be serviced.
- 3. If the outer seals (that indicate tampering or use when broken) are not intact, the boarding officer or marine inspector will inspect such extinguisher to see that the frangible disc in neck of the container is intact; and if such disc is not intact, the container shall be serviced.
- 4. If there is evidence of damage, use, or leakage, such as dry chemical powder observed in the nozzle or elsewhere on the extinguisher, the container shall be replaced with a new one

and the extinguisher properly serviced or the extinguisher replaced with another approved extinguisher.

~~H. G.~~ The dry chemical, stored pressure, fire extinguishers without pressure gauges or indicating devices manufactured after January 1, 1965, shall not be carried on board motorboats or other vessels as required equipment.

Statutory Authority

§§29.1-501, 29.1-502, 29.1-701, and 29.1-735 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 19, Issue 5, eff. January 1, 2003; amended, Virginia Register Volume 39, Issue 9, eff. January 1, 2023.

4VAC15-430-210. Backfire flame control.

Every engine, except outboard motors, using gasoline as fuel and installed in a vessel shall be equipped with an acceptable means of backfire flame control that meets the requirements of 46 CFR 25.35.

~~A. — Every gasoline engine installed in a motorboat or motor vessel after April 25, 1940, except outboard motors, shall be equipped with an acceptable means of backfire flame control:~~

~~B. — Installations made before November 19, 1952, may be continued in use as long as they are serviceable and in good condition. Replacements shall comply with any applicable standards established by the U.S. Coast Guard and be marked accordingly. The flame arrester must be suitably secured to the air intake with a flametight connection:~~

~~C. — Installations consisting of backfire flame arresters bearing basic approval nos. 162.015 or 162.041 or engine air and fuel induction systems bearing basic approval nos. 162.015 or 162.042 may be continued in use as long as they are serviceable and in good condition. New installations or replacements must comply with any applicable standards established by the U.S. Coast Guard and be marked accordingly. The flame arrester must be suitably secured to the air intake with a flametight connection:~~

Statutory Authority

§§ 29.1-501, 29.1-502, 29.1-701, and 29.1-735 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 19, Issue 5, eff. January 1, 2003; Errata 19:14 VA.R. 2176, 2177 March 24, 2003.

Chapter 400. Watercraft: Accident and Casualty Reporting

FORMS (4VAC15-400). **AMEND**

Virginia Boating Incident Report

~~Crossbow Application (rev. 7/22/96). Virginia state resident hunting license.~~

~~Special application for domicile resident licenses and permits to hunt, fish or trap in Virginia.
Resident bear-deer-turkey hunting license.~~

~~Resident bonus deer permit.~~

~~Virginia nonresident bear-deer-turkey hunting license. Nonresident bonus deer permit.~~

~~Nonresident 3-day trip hunting license. Virginia national forest hunting permit. Nonresident hunting
license.~~

~~Resident junior hunting license.~~

~~Virginia county or city resident hunting license. State resident muzzleloading hunting license.~~

~~Resident junior bear-deer-turkey license. Resident 65-and-older hunting license.~~

~~Resident archery hunting license. Nonresident archery hunting license. Stationary blind hunting
permit.~~

~~Floating blind hunting permit. Nonresident shooting preserve license.~~

~~Nonresident muzzleloading hunting license.~~

~~DGIF license sales agent hunting certificates sales report.~~

~~Application for state resident disabled veteran's lifetime state license to hunt and fish in inland
waters (eff. 5/01).~~

~~Resident disabled veteran's permanent state license to hunt and fish.~~

~~Permit for persons permanently unable to walk to shoot from a stationary vehicle, LAW-28A (eff.
8/94).~~

~~Physician's affirmation as to one's permanent inability to walk. State resident license to trap.~~

~~Virginia county or city residence license to trap. State resident age 65-and-older license to trap.
Nonresident trapping license.~~

~~Resident fresh water fishing license. Resident fishing license renewal application.~~

~~State non-resident fresh water fishing license. County or city resident fresh water fishing license. State resident trout fresh water fishing license.~~

~~State non-resident trout fresh water fishing license. National forest certificate.~~

~~State non-resident fresh water 5-day fishing license. 65 and over state resident fresh water fishing license. State resident fresh water 5-day fishing license.~~

~~Individual saltwater sport fishing license. Temporary 10-day saltwater sport fishing license. Saltwater boat sport fishing license.~~

~~Fishing certificates sales report, #79-F1 (eff. 1/95).~~

~~Application for disabled resident special lifetime hunting, fresh water, or saltwater fishing license. (eff. 6/93).~~

~~Disabled resident hunting and fresh water fishing license physicians' affidavit. Disabled resident special lifetime fishing license.~~

~~Disabled resident special lifetime fishing and hunting license.~~

~~Application for lifetime hunting and/or lifetime fresh water fishing licenses. (eff. 10/94). Resident special lifetime hunting and fishing license.~~

~~Resident special lifetime hunting license. Resident special lifetime fishing license. Non-resident lifetime fishing license.~~

~~Non-resident lifetime hunting license.~~

~~Non-resident hunting, fresh water, saltwater recreational fishing license order form. (eff. 10/94). Nonresident application for permit to deal in furs.~~

~~Annual raw fur dealer's report. (eff. 6/94). Nonresident permit to deal in furs.~~

~~Resident application for permit to deal in furs. (eff. 6/94). Resident application to deal in furs.~~

~~Application for field trial permit. (eff. 8/94). Raccoon hound field trial permit conditions.~~

~~Application for establishing a licensed shooting preserve. (eff. 7/94). Shooting preserve annual report.~~

~~Striped bass fishing tournament data sheet.~~

~~Competitive freshwater fishing tournament notice. (eff. 7/1/93). Competitive freshwater fishing tournament data summary.~~

~~Special guest fishing license application. Nonresident complimentary fishing license. Special guest fishing license.~~

Application for Virginia freshwater fish citation. (eff. 8/1/93). Fish stocking permit (to stock fish in Virginia inland waters):

Application for authorization to establish a regulated trout fishing preserve. (eff. 2/7/94). Trout fishing preserve annual report:

Application for enrollment in the community fishing clinics program. Application for fallow deer farming permit. (eff. 6/94):

Deer management assistance program application:

Official kill permit, to kill wild animals during closed season. (eff. 5/93):

Request for certification in the Virginia DGIF wildlife habitat program. (eff. 6/94):

Application for permit to stuff and mount birds, animals or fish and parts thereof for sale or compensation:

Permit to stuff or mount birds, animals, or fish:

Application for scientific collection or salvage permit (to collect fish or wildlife for scientific purposes or salvage fish or wildlife for scientific or educational purposes):

Scientific collection/salvage permit supplemental amendment form. Application for Virginia endangered species permit:

Non-native (exotic) animal permit. Application for wolf-hybrid permit. (eff. 6/94). Application/permit wildlife rehabilitator:

Application/permit to propagate for private use certain game and migratory game birds:

Brood stock reports (species, number, and origin of brood stock for certain game and migratory game birds):

Application/permit to propagate and sell certain wildlife:

Brood stock report (species, number, and origin of brood stock for certain amphibians and reptiles):

Annual reporting form for propagating and selling certain wildlife (permitted tilapia, frogs, snakes, game birds, game animals, and furbearers):

Application/permit to exhibit wild animals:

Application/permit to import certain non-native (exotic) wildlife into Virginia:

Application/permit to hold and sell certain fish, snakes, snapping turtles, crayfish, and hellgrammites for sale:

Annual reporting form for propagating certain wildlife for private use.

Exotic species application/permit to import certified triploid grass carp for aquatic vegetation control in private ponds.

Application for motorboat certificate of number/certificate of title, #BRT10/94-100M. Affidavit covering repossession of vessel title number.

Application for marine event.

Application to transfer saltwater recreational boat license.

Application for duplicate certificate of (watercraft) title, #BC/DCT9/93-2M. Boating education notice/course application.

Statement of authorization to add or delete a (boat) purchaser(s).

Affidavit of compliance for enforcement of liens on vessels under a judicial order (appraised value of \$3001 and over).

Affidavit of compliance for enforcement of liens on vessels under a judicial order (appraised value of \$3000 or less).

(Boat) length certificate affidavit.

Affidavit of authority to transfer registration/title of a watercraft; procedure to transfer a Virginia certificate of title/registration when watercraft owner is deceased.

Procedure to acquire title/registration on an abandoned vessel; affidavit; sample letter; sample notice.

Statement of missing title and assignment of title to a vessel, SMT-3/94-2M. Stolen boat, motor, and trailer report.

Application for supplemental lien or transfer of lien.

Affidavit for transfer when watercraft certificate of title is lost, etc. (eff. 4/89).

Affidavit for transfer of certificate of number (registration) when bill of sale is not available from last registered owner. (eff. 4/89).

Application for establishment of regulatory markers on public waters of Virginia. (Public boating landing) Special use permit.

4VAC15-20-120. Appointment of new consignment agents for sale of hunting and fishing licenses.
(REPEAL)

~~A. Except as provided below, no person shall be appointed as a consignment agent for the sale of hunting and fishing licenses unless he first sells licenses on a cash basis for at least one year. In addition, the dollar volume of actual or projected sales must equal at least 90% of the average hunting and fishing license sales of consignment agents in the locality.~~

~~B. If the cash agent sells the required number of licenses, he may be appointed as a consignment agent, provided he is approved for a surety bond by the board's bonding company.~~

~~C. This chapter is applicable to new appointments and not to transfers of existing appointments; provided, that the director may appoint consignment agents as needed to provide for a minimum of two consignment agents within a locality. In addition, the director may appoint consignment agents on state-owned or state-leased facilities.~~