

AGENDA

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

August 18, 2021
10:00 am

Committee Members: Ms. Karen Terwilliger, Chair, Mr. Leon Boyd, Dr. Mamie Parker, Mr. John Daniel, Alternate and Mr. Rovel Brown, Alternate

DWR Staff Liaisons: Dr. Gray Anderson and Dr. Mike Bednarski

1. Call to Order and Welcome
Ms. Karen Terwilliger
2. Approval of the May 17, 2021 Committee Meeting Minutes **Final Action**
Ms. Karen Terwilliger
3. Public Comment – Non Agenda Item
Ms. Karen Terwilliger
4. Proposed CWD Regulations in response to the Montgomery County positive
Mr. Cale Godfrey **Final Action**
5. Public comment summary on proposed predator hunting contest regulation
Mr. Cale Godfrey
6. Wildlife Division Update
Dr. Gray Anderson
7. Fish Division Update
Dr. Mike Bednarski
8. Director's Report
Mr. Ryan Brown

9. Chair's Report
Ms. Karen Terwilliger

10. Next Meeting Date: To be Announced
Ms. Karen Terwilliger

11. Additional Business/Comments
Ms. Karen Terwilliger

12. Adjournment
Ms. Karen Terwilliger

Teleconference/Virtual

Draft Meeting Minutes

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

May 17, 2021

10:00 am

Present: Ms. Catherine Claiborne, **Chair**; Mr. Leon Boyd, Mr. Frank Adams, Mr. Tom Sadler, Alternate; **Absent:** Ms. Karen Terwilliger; **Board Members** in attendance: Mr. G. K. Washington, Mr. John Daniel, **Executive Director:** Mr. Ryan J. Brown; **Director's Working Group:** Mr. Gary Martel, Ms. Becky Gwynn, Mr. Darin Moore, Dr. Mike Bednarski, Dr. Gray Anderson, Mr. Tom Guess, Ms. Paige Pearson, Colonel John Cobb.

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

The Chair read the meeting procedure, this meeting is proceeding under Item 4-0.01, subsection G of the Appropriation Act and section 2.2-3708.2 of the Code of Virginia. It is being held by electronic communication, as the COVID-19 virus has made a physical meeting of the Committee impracticable. This emergency imposed by COVID-19 is observed by Executive Orders issued by the Governor of Virginia. The Committee's actions today shall be solely limited to those matters included on the agenda; all of these proposed actions are statutorily required or necessary to continue operations and discharge lawful purposes, duties and responsibilities of this Committee.

The Chair called on the Board secretary for a roll call vote of Board members present: Ms. Catherine Claiborne, Mr. Leon Boyd, Mr. Frank Adams, Dr. Mamie Parker, Mr. Tom Sadler Mr. G. K. Washington and Mr. John Daniel.

Approval of the March 16, 2021 Committee Meeting Minutes:

The Chair called for a motion to approve the March 16, 2021 Wildlife and Boat Committee meeting minutes. Mr. Sadler made a motion to approve the minutes of the March 16, 2021 Committee meeting. Mr. Adams seconded the motion.

The Board secretary called a roll call vote: Ayes: Claiborne, Adams, Boyd, Sadler

Public Comment - Non Agenda Item: The Chair called for Public Comment – Non-Agenda Items.

- Mr. Reg Cook spoke regarding Deer Hound Hunting

The Chair thanked Mr. Cook for his comments.

Proposal of 2021-2022 Wildlife Regulation Recommendations: The Chair called on Dr. Gray Anderson for a presentation.

Dr. Anderson presented the Final Action on the proposed 2021-2022 Wildlife Regulations.

After comments and questions, the Chair thanked Dr. Anderson for his presentation on staff recommendations.

The Chair called for a break at 11:55 am

The Chair reconvened the committee meeting at 12:05 pm

After each staff recommendation, the Chair called for a motion and vote on each species or regulatory topic:

Virtual Speaker on Elk:

- Stephanie Taillon spoke regarding Elk.

Elk: 4VAC15-20-65; 4VAC15-20-10(formerly 4VAC15-20-250); 4VAC15-90-500; 4VAC15-90-510; 4VAC15-90-520; 4VAC15-90-530; 4VAC15-90-540; 4VAC15-90-550; 4VAC15-270-10

The Chair called for a motion. Mr. Boyd made a motion, Madame Chair, I move that the Wildlife and Boat Committee recommend to the Board of Wildlife Resources the proposed amendments to the elk regulations as present by staff. It was seconded Mr. Sadler. The Chair called for a roll call vote: Claiborne, Adams, Boyd, Sadler

Virtual Speaker on Deer:

- Stefanie Taillon spoke regarding Deer

Chronic Wasting Disease: 4VAC15-90-10; 4VAC15-90-89; 4VAC15-90-260; 4VAC15-50-110; 4VAC15-90-293

Deer & Muzzleloader Hunting: 4VAC15-90-70; 4VAC15-90-80; 4VAC15-50-71; 4VAC15-90-90; 4VAC15-90-91

Harvest Reporting: 4VAC15-90-231; 4VAC15-50-81; 4VAC15-240-81; 4VAC15-90-241; 4VAC15-50-91; 4VAC15-240-91

The Chair called for a motion. Mr. Adams made a motion. Madame Chair, I move that the Wildlife & Boat Committee recommend to the Board of Wildlife Resources proposing the amendments to Chronic wasting disease, deer & muzzleloader hunting, and harvest reporting regulations as presented by staff. It was seconded by Mr. Sadler. The Chair called for a roll call vote. Ayes: Claiborne, Adams, Boyd, Sadler

Virtual Speakers on Bears:

- Stefanie Taillon spoke regarding Bears

Bear & Wild Turkey: 4VAC15-50-120; 4VAC15-240-20; 4VAC15-240-32; 4VAC15-240-40; 4VAC15-240-60;

The Chair called for a motion. Mr. Boyd made a motion, Madame Chair, I move that the Wildlife & Boat Committee recommend to the Board of Wildlife Resources proposing the amendments to bear and wild turkey regulations as presented by staff. It was seconded by Mr. Adams. The Chair called for a roll call vote. Ayes: Claiborne, Adams, Boyd, Sadler

Rabbits: 4VAC15-200-15; 4VAC15-200-30; 4VAC15-200-50; 4VAC15-200-60

Wildlife Diversity: 4VAC15-20-130; 4VAC15-30-40; 4VAC15-360-60; 4VAC15-360-10

The Chair called for a motion. Mr. Adams made a motion, Madame Chair, I move that the Wildlife and Boat Committee recommend to the Board of Wildlife Resources proposing the amendments to rabbits and wildlife diversity regulations as presented by staff. It was seconded by Mr. Sadler. The Chair called for a roll call vote. Ayes: Claiborne, Adams, Boyd, Sadler

Lands and Access: 4VAC15-20-100; 4VAC15-20-150; 4VAC15-20-151; 4VAC15-20-152

Definitions & Miscellaneous: 4VAC15-20-240

General: 4VAC15-40-220; 4VAC15-40-240

The Chair called for a motion. Mr. Boyd made a motion. Madame Chair, I move that the Wildlife and Boat Committee recommend to the Board of Wildlife Resources the proposed amendments to lands & access, Definitions & Miscellaneous & General regulations as presented by staff. It was seconded by Mr. Sadler. The Chair called for a roll call vote. Ayes: Claiborne, Adams, Boyd, Sadler

CWD Update: The Chair called on Mr. Cale Godfrey for an Update.

Mr. Godfrey gave a CWD update on a new finding of CWD in Madison County and a recommendation of DWR for working with this finding.

The Chair called for a motion. Mr. Sadler made a motion, Madame Chair, I move that the Wildlife & Boat Committee recommend to the Board of Wildlife Resources the proposed amendments to chronic wasting disease regulations for Disease Management Area 3 as presented by staff. It was seconded by Mr. Boyd.

The Chair called for a roll call vote. Claiborne, Adams, Boyd, Sadler

Wildlife Division Update: The Chair called on Dr. Gray Anderson for an update.

Dr. Anderson reported:

- Turkey harvest was 20,550 (new harvest record)
- Youth weekend was down by 30% (from 2020)
- Opening day was up by 15% (from 2020)
- Opening weekend was up by 15% (from 2020)

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

Dr. Bednarski reported:

- Walleye and saugeye stocking is wrapping up, stocked one million fish
- Striped bass production is underway
- Alabama bass monitoring continues. The Bass anglers Sport's Society was helpful at the recent Northern Open on the James River, providing staff access to fish and identify potential Alabama Bass.
- FishLocalVA website is live and provides links to fishing opportunities in developed areas as well as information on other outdoor activities in the area such as camping, hiking, kayaking, and picnicking. Thanks to Outreach for their support of this effort.

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

The Director reported:

- Welcomed Ms. Becky Gwynn as the new Deputy Director

Chair's Report: The Chair thanked everyone for attending the Wildlife and Boat Committee meeting and thanked staff for their exceptional work on the presentations. The Chair asked if anyone had any further comments or questions, hearing none, she announced that next meeting will be determined and adjourned the meeting at 12:30 pm

Respectfully submitted,

Frances Boswell

/s/

VIRGINIA DEPARTMENT OF WILDLIFE RESOURCES



DISEASE MANAGEMENT AREA 3

CWD REGULATION PROPOSALS
STAFF FINAL RECOMMENDATION

August 2021

4VAC15-90-10
Game: Deer: Open season; generally.

Summary:

The proposal is to allow (i) an early September antlerless only firearms deer season and a late (January through March) antlerless only firearms deer season in designated disease focus zones in Floyd, Montgomery, and Pulaski counties, and (ii) extend the general firearms season on non-national forest lands in Montgomery and Pulaski counties from two to four weeks.

Proposed language of 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
Alleghany County	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)	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
Augusta County	Saturday prior to the third Monday in November and for 14 consecutive days following
Bath County	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
Bedford County (national forest lands)	Saturday prior to the third Monday in November and for 14 consecutive days following
Bland County	Saturday prior to the third Monday in November and for 14 consecutive days following

Botetourt County	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 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	Saturday prior to the third Monday in November and for 14 consecutive days following
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
<u>Clarke County (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>
Craig County	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
<u>Culpeper County (private lands and antlerless deer only)</u>	<u>First Saturday in September through the Friday prior to the first Saturday in October</u>

<u>Culpeper County (disease focus zones defined by the Department, 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>
Cumberland County	Saturday prior to the third Monday in November through the first Saturday in January
Dickenson County	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
<u>Fauquier County (private lands and antlerless deer only)</u>	<u>First Saturday in September through the Friday prior to the first Saturday in October</u>
<u>Fauquier County (disease focus zones defined by the Department, 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>
Floyd County	Saturday prior to the third Monday in November and for 28 consecutive days following
<u>Floyd County (disease focus zones defined by the Department, 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>
Fluvanna County	Saturday prior to the third Monday in November through the first Saturday in January
Franklin County	Saturday prior to the third Monday in November and for 28 consecutive days following
Frederick County (non-national forest lands)	Saturday prior to the third Monday in November through the first Saturday in January

Frederick County (national forest lands)	Saturday prior to the third Monday in November and for 14 consecutive days following
<u>Frederick County (non-national-forest lands 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>
Giles County	Saturday prior to the third Monday in November and for 14 consecutive days following
Gloucester County	Saturday prior to the third Monday in November through the first Saturday in January
Goochland County	Saturday prior to the third Monday in November through the first Saturday in January
Grayson County	Saturday prior to the third Monday in November and for 14 consecutive days following
Greene County	Saturday prior to the third Monday in November through the first Saturday in January
Greensville 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
Henrico County	Saturday prior to the third Monday in November through the first Saturday in January
Henry County	Saturday prior to the third Monday in November and for 28 consecutive days following
Highland County	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
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
Lee County	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
<u>Madison County (private lands and antlerless deer only)</u>	<u>First Saturday in September through the Friday prior to the first Saturday in October</u>
<u>Madison County (disease focus zones defined by the Department, 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>
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 (<u>non-national forest lands</u>)	Saturday prior to the third Monday in November and for 14 <u>28</u> consecutive days following
<u>Montgomery County (national forest lands)</u>	<u>Saturday prior to the third Monday in November and for 14 consecutive days following</u>
<u>Montgomery County (disease focus zones defined by the Department, 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>

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)	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
<u>Orange County (private lands and antlerless deer only)</u>	<u>First Saturday in September through the Friday prior to the first Saturday in October</u>
<u>Orange County (disease focus zones defined by the Department, 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>
Page County	Saturday prior to the third Monday in November and for 14 consecutive days following
<u>Page County (disease focus zones defined by the Department, 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>
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 <u>and national forest lands</u>)	Saturday prior to the third Monday in November and for 14-28 consecutive days following
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
<u>Pulaski County (national forest lands)</u>	<u>Saturday prior to the third Monday in November and for 14 consecutive days following</u>
<u>Pulaski County (disease focus zones defined by the Department, 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>
Rappahannock County	Saturday prior to the third Monday in November through the first Saturday in January
<u>Rappahannock County (private lands and antlerless deer only)</u>	<u>First Saturday in September through the Friday prior to the first Saturday in October</u>
<u>Rappahannock County (disease focus zones defined by the Department, 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>
Richmond County	Saturday prior to the third Monday in November through the first Saturday in January
Roanoke County	Saturday prior to the third Monday in November and for 14 consecutive days following
Rockbridge County	Saturday prior to the third Monday in November and for 14 consecutive days following
Rockingham County	Saturday prior to the third Monday in November and for 14 consecutive days following
Russell County	Saturday prior to the third Monday in November and for 14 consecutive days following
Scott County	Saturday prior to the third Monday in November and for 14 consecutive days following

Shenandoah County	Saturday prior to the third Monday in November and for 14 consecutive days following
<u>Shenandoah County (non-national forest lands 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>
Smyth County	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
Tazewell County	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	Saturday prior to the third Monday in November and for 14 consecutive days following
<u>Warren (non-national forest lands 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>
Washington County	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	Saturday prior to the third Monday in November and for 14 consecutive days following

Wythe County	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

B. Except as provided in subsection A of this section, east of the Blue Ridge Mountains 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. Except as provided in subsection A of this section, west of the Blue Ridge Mountains deer may be hunted from the Saturday prior to the third Monday in November and for 14 consecutive days following within the incorporated limits of any city or town that allows deer hunting.

Staff Final Recommendation – Staff recommends adoption of the amendments as final in the form they were proposed.

Rationale:

Chronic wasting disease (CWD) was confirmed in Montgomery County at the conclusion of the 2020 – 2021 deer hunting season. In response to this detection, Disease Management Area 3 (DMA3) was created and includes Floyd, Montgomery, and Pulaski counties. The addition of two weeks of general firearms season in Montgomery and Pulaski counties will bring these counties into alignment with Floyd County. This two-week extension of the general firearms season aims to achieve three goals: 1. Slow the spread and transmission of CWD, 2. Reduce deer populations to meet objectives in these two counties, and 3. Create consistent general firearms seasons in all DMA3 counties, thereby streamlining hunting regulations for these counties and minimizing confusion for hunters.

The proposed Disease Focus Zones (DFZ) will enable the Department to target additional harvest management approaches around new CWD detections as they are discovered. To be proactive, this proposal includes counties within the DMA where CWD has not been detected (e.g., Floyd, Pulaski). DFZs are defined as a local expansion of antlerless hunting opportunities in a focused area around an outlier CWD detection, which is located more than 5 miles from the nearest detection. DFZs will be defined using clear geographic boundaries and communicated before hunting season through the annual hunting and trapping booklet and on the Department’s website. The goals of expanded antlerless hunting opportunities in a DFZ are to slow disease transmission in the immediate vicinity of a detection and to increase testing opportunities for deer harvested in close vicinity to an outlier CWD detection.

4VAC15-90-290

Game: Deer: Special quality deer management areas.

Summary:

The proposal is to repeal this regulation as Chronic Wasting Disease has been discovered within 25 miles of the special Fairystone quality deer management area.

Proposed language of amendment:

~~4VAC15-90-290. Special quality deer management areas.~~

~~A. The board hereby designates the following areas posted by the Department of Wildlife Resources as special quality deer management areas with special antlered buck harvest.~~

~~B. Special Fairystone quality deer management area. It shall be unlawful to kill an antlered deer on the special Fairystone quality deer management area unless the deer has at least four antler points, each greater than one inch in length, on either the right or left antler.~~

Staff Final Recommendation – Staff recommends adoption of the amendments as final in the form they were proposed.

Rationale:

Antler point restrictions are designed to encourage an older male age structure within a local deer herd. However, data from across the eastern U.S. clearly shows that CWD infection rates are the highest in older male age classes. During the 2019-2020 Wildlife Regulation Review and Amendment process, in order to reduce the risk of CWD transmission in deer populations where CWD has been confirmed, the Board of Wildlife Resources adopted a regulation amendment that prohibited the application of antler point restrictions in any county within 25 miles of a confirmed CWD positive location (4VAC15-90-290). Patrick County, which includes the Fairystone quality deer management area and its associated antler point restriction, is located within 25 miles of the recent CWD detection in Montgomery County. Removal of this special quality deer management area is therefore recommended.

DEPARTMENT OF WILDLIFE RESOURCES PREDATOR HUNTING CONTEST REGULATION PROPOSAL

Public Comment Period – Summary of Public Comments

August 11, 2021

Introduction and Background

On 27 May 2021, staff presented information on predator hunting contests to the Board of the Department of Wildlife Resources. Following this presentation, the Board voted to advertise a regulation proposal that would prohibit hunting contests for coyotes and furbearers in which participants are offered cash, prizes, or other inducements of monetary value.

The public comment period began on 15 June 2021 and concluded on 30 July 2021. Interested individuals could submit comments to the Department’s public comment website portal, via email to RegComments@dwr.virginia.gov, or by mail to the DWR’s Henrico Office.

During the public comment period, the Department received 1,559 comments from unique individuals (duplicate comments from the same individual were removed from the summary analyses). Of this total, 927 (59.5%) were received via email, 629 (40.3%) were submitted to the website, and 3 (0.2%) were received via regular mail. Comments submitted after the end of the comment period are not included in this summary.

Almost all comments received were from individuals with a Virginia mailing address (1,472 comments, 94.4% of total). We also received 68 comments (4.4% of total) from nonresidents in 29 other states and 2 foreign countries. Location of residency was unknown for 19 (1.2%) of the comments received.

We classified each comment as being in support, opposition, or having partial support/opposition of the advertised proposal. A few of the comments did not provide sufficient information to determine the individual’s position. The following table summarizes the results of our analyses:

Support or opposition of advertised regulation proposal by residency (1,559 total comments)

	Virginia	Out-of-State	Unknown Residency	Total
Favor	1,154 (78.4%)	29 (42.6%)	9 (47.4%)	1,192 (76.5%)
Oppose	274 (18.6%)	37 (54.4%)	10 (52.6%)	321 (20.6%)
Partial	37 (2.5%)	1 (1.5%)	0 (0.0%)	38 (2.4%)
Unknown	7 (0.5%)	1 (1.5%)	0 (0.0%)	8 (0.5%)

Level of support for the advertised proposal was much higher in email comments than in website comments (98.0% versus 45.2% in favor). Overall level of support for the proposal was 76.5%. When only Virginia resident responses are considered, 78.4% were in favor of the advertised proposal.

Among those who favored the proposal, some of the primary reasons for their support included:

- Opposition to killing for fun or money
- Concern that animals were not being used afterwards
- Belief that contest hunting was contrary to fair chase principles
- Concern that contests portrayed hunters and hunting in a negative manner
- Increased risks of diseases and parasites from improper disposal of out-of-state carcasses

Among those who opposed the proposal, some of the primary reasons for their opposition included:

- Belief that elimination of contests would increase predator numbers (especially coyotes), which would increase livestock attacks, increase pet attacks, and decrease game populations (deer, turkey, small game)
- Proposal would reduce the number of predator hunters available to assist farmers, since prize money is used to purchase expensive equipment
- Coyotes are a non-native nuisance animal that needs to be controlled in any way possible
- Slippery slope leading to additional proposals to ban other types of hunting and trapping
- Interferes with constitutional right to hunt
- Proposal is not based on science and caters to opinions of urban residents unfamiliar with wildlife

Positions of Organizations

Letters or written comments submitted on behalf of organizations included the following:

Congressional Sportsmen's Foundation – oppose, alternative ideas suggested

National Shooting Sports Foundation – oppose

Sportsmen's Alliance – oppose

Virginia Hunting Dog Alliance – alternative ideas suggested

Virginia Animal Owners Alliance – oppose

Virginia Chapter of the Wildlife Society – in favor of proposal

Humane Society of the United States – favor

Animal Welfare Institute – favor

American Kennel Club – requested clear exemption for field trial events

PREDATOR HUNTING CONTEST REGULATION PROPOSAL

PUBLIC COMMENT SUMMARY
AUGUST 18, 2021



CONSERVE. CONNECT. PROTECT.

BACKGROUND ON PREDATOR HUNTING CONTEST ISSUE

- **March 2021** - Board of Wildlife Resources meeting
 - Staff recommends a new regulation to prohibit predator hunting contests offering cash, prizes, or other inducements
 - Following public comments, the Board requested additional information from staff on predator hunting contests before taking action on the staff recommendation
- **May 2021** – Board of Wildlife Resources meeting
 - Staff presented information on predator hunting contests - focus of the presentation is on the sociological impacts of predator hunting contests on public acceptance and support for hunting
 - Following public comments, the Board voted to advertise a regulation proposal that would prohibit predator hunting contests offering cash, prizes, or other inducements of monetary value
- **June 15 – July 30, 2021** - Public Comment Period



SUMMARY OF PUBLIC COMMENTS

- **Interested individual could offer comments via:**
 - DWR's online public comment portal
 - Email - Regcomments@dwr.virginia.gov
 - U.S. Postal Service to Henrico office
- **Total # of unique individual comments received was 1,559**
 - Online portal = 629 (40.3%)
 - Email = 927 (59.5%)
 - U.S. Postal Service = 3 (0.2%)



SUMMARY OF PUBLIC COMMENTS

- **Location of residence**

- Virginia = 1,472 (94.4%)
- Other states or countries = 68 (4.4%)
- Unknown = 19 (1.2%)

- **Support vs. Opposition to regulation proposal (overall)**

- Support = 1,192 (76.5%)
- Oppose = 321 (20.6%)
- Partial = 38 (2.4%)
- Unknown = 8 (0.5%)



PRIMARY REASONS FOR SUPPORT AS EXPRESSED IN PUBLIC COMMENTS

- Opposition to killing for fun or money
- Concern that animals were not being used afterwards
- Belief that contest hunting was contrary to fair chase principles
- Concern that contests portrayed hunters and hunting in a negative manner
- Increased risks of diseases and parasites from improper disposal of out-of-state carcasses



PRIMARY REASONS FOR OPPOSITION AS EXPRESSED IN PUBLIC COMMENTS

- Belief that elimination of contests would increase predator numbers (especially coyotes) resulting in increased livestock and pet attacks and decreased game populations (deer, turkey, small game)
- Concern that the number of predator hunters available to assist farmers would be reduced since prize money helps purchase expensive equipment
- Coyotes are a non-native nuisance animal that needs controlled in any way possible
- Concern for additional proposals to ban other types of hunting and trapping
- Interferes with constitutional right to hunt
- Proposal is not based on science and caters to opinions of urban residents unfamiliar with wildlife



MOVING FORWARD

Additional consultation with legal counsel during the public comment period indicates that the Board's authority to promulgate regulations pertaining solely to monetary prizes for these events is unclear (as compared to issues such as season length and timing, bag limits, etc.). It is therefore recommended by staff that the proposed regulation not be adopted at this time.



QUESTIONS

