

Teleconference/Virtual

AGENDA

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

October 22, 2020
9:00 am

Call to Order and Welcome –

Reading of the proceeding under Item 4-0.01.

This meeting is proceeding under Item 4-0.01, subsection G of the Appropriation Act and sections 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 51, 53, and 55 issued by the Governor of Virginia. The Board'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 the Board.

(Call on Board Secretary for a Roll Call vote of Board members)

1. Recognition of Employees and Others
2. Approval of the August 20, 2020 Board Meeting Minutes ***Final Action***
(Call on Board Secretary for a Roll Call vote)
3. Public Comments – Non Agenda Items
4. Committee Meeting Reports:

Law Enforcement Committee:

Mr. Washington will give an update on the September 22, 2020 Law Enforcement Committee meeting.

Wildlife and Boat Committee:

Ms. Claiborne will give an update on the October 7, 2020 Wildlife and Boat Committee meeting.

- Aquatic Wildlife Regulations –Dr. Mike Bednarski **Final Action**
(Call on Board secretary for roll call vote for Aquatic)
- 2021-2022 Wildlife Regulations Schedule Update –Dr. Gary Anderson
- Boat Ramp Fee Regulation **Final Action**
- Camping on WMA’s Regulation **Final Action**
(Call on Board secretary for roll call vote on both Final Actions)

Finance, Audit, & Compliance Committee:

Mr. Vincent will give an update on October 8, 2020 Finance, Audit, and Compliance Committee meeting

- FY21 First Quarter Finance Report – Mr. Darin Moore

Education, Planning, and Outreach Committee:

Ms. Terwilliger will give an update on the October 1, 2020 Education, Planning, and Outreach Committee meeting.

- Project WILD Goes Virtual – Ms. Suze Gilley

5. Regulation proposal for changing DGIF to DWR **Final Action**
(Call on Board secretary for roll call vote)
6. Director’s Report
7. Chairman’s Report
8. Additional Business/Comments
9. Next Meeting Date: Thursday, January 21, 2021
10. Closed Session
11. Adjournment

Teleconference/Video Board Meeting

DRAFT Board Minutes

Board of Wildlife Resources
7870 Villa Park Drive
Henrico, VA 23228

August 20, 2020
9:00 am

Present: Mr. John Daniel, II, **Chair,** Mr. Brian Vincent, **Vice Chair;** **Board Members:** Mr. G. K. Washington, Mr. Leon Boyd, Ms. Karen Terwilliger, Mr. Tom Sadler, Dr. Mamie Parker, Mr. Frank Adams **Absent:** Mr. Douglas Dear, Ms. Catherine Claiborne; **Executive Director:** Mr. Ryan Brown; **Director's Working Group:** Mr. Gary Martel, Mr. Tom Guess, Dr. Gray Anderson, Dr. Mike Bednarski, Mr. George Braxton, Mr. Darin Moore, Mr. Lee Walker, Major Scott Naff, Ms. Paige Pearson, Kelci Block, Assistant Attorney General attended the Board meeting by Teleconference.

The Chair opened the meeting at 9:00 am. The Chair welcomed everyone attending the virtual meeting and thanked everyone for being able to attend by teleconference; the Chair thanked the Director and staff for making this virtual meeting possible, the Chair noted for the record that a quorum was present. The Chair, Mr. John Daniel announced that 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 Board impracticable. This emergency imposed by COVID-19 is observed by Executive Orders 51, 53, and 55 issued by the Governor of Virginia. The Board's actions today shall be solely limited to those matters included on the agenda; while there will be opportunities for public comment on agenda items, there is no public comment on non-agenda items. All of these proposed actions are statutorily required or necessary to continue operations and discharge lawful purposes, duties, and responsibilities of the Board.

The Board Secretary took a roll call vote for attendance: Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Approval of the May 27, 2020 Board Meeting Minutes:

The minutes of the May 27, 2020 minutes have been distributed and posted to the website for review. The Chair called for a motion to approve the minutes. Mr. Vincent made a motion to approve the May 27, 2020 Board minutes as submitted. It was seconded by Mr. Vincent.

The Board Secretary took a roll call vote. Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Staff Recommendations – Aquatic Regulations

The Board Chair called on Dr. Mike Bednarski to present the Staff Recommendations – Aquatic Regulations.

The Board Chair thanked Dr. Bednarski for his presentation.

The Board Chair asked if there were any questions or comments from the public or the Board.

After questions and comments, the Board Chair called for a motion.

Mr. Boyd made a motion. Mr. Chair, I move that the Board adopt the Staff Recommendations for Aquatic Regulations as presented by staff. It was seconded by Mr. Adams.

The Board Secretary took a roll call vote. Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Regulation proposal for camping on Department Lands:

The Board Chair called on Dr. Gray Anderson to present the Regulation proposal for camping on Department Lands.

The Board Chair thanked Dr. Anderson for his presentation.

The Board Chair asked if there were any questions or comments from the public or the Board.

After questions and comments, the Board Chair called for a motion.

Ms. Terwilliger made a motion. Mr. Chair, I move that the Board adopt the Regulation Proposal for camping on Department Lands. It was seconded by Mr. Sadler.

The Board Secretary took a roll call vote: Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Wildlife Regulations public scoping period:

The Board Chair called on Dr. Gray Anderson to present the Wildlife Regulations public scoping period.

The Board Chair thanked Dr. Anderson for his presentation.

The Board Chair asked if there were any questions or comments from the public or the Board.

After questions and comments, the Board Chair moved on to the next Agenda item.

Annual Finance Report – Fiscal Year 2020:

The Board Chair called on Mr. Darin Moore to present the Annual Finance Report for Fiscal year 2020.

The Board Chair thanked Mr. Moore for his presentation.

The Board Chair asked if there were any questions or comments from the public or the Board.

After questions and comments, the Chair moved on to the next agenda item.

Report on 2020 State Audit:

The Board Chair called on Mr. Darin Moore to present the Report on the 2020 State Audit for Fiscal year 2019.

The Board Chair thanked Mr. Moore for his presentation.

The Board Chair asked if there were any questions or comments from the public or the Board.

After questions and comments, the Chair called for a break.

The Chair called for a break at 10:40 am

The Chair resumed the meeting at 10:50 am

Law Enforcement Accreditation Resolution:

The Board Chair called on Executive Director Ryan Brown to present the Law Enforcement Accreditation Resolution.

The Board Chair thanked Mr. Brown for his presentation and remarks.

The Board Chair asked if there were any questions or comments from the public or the Board.

After questions and comments, the Chair called for a vote on the Resolution.

The Board Secretary took a roll call vote: Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Regulation proposal for changing DGIF to DWR:

The Board Chair called on Mr. Aaron Proctor to present the Regulation proposal for changing DGIF to DWR.

The Board Chair thanked Mr. Proctor for his presentation.

The Board Chair asked if there were any questions or comments from the public or the Board.

After questions and comments, the Chair called for a vote on the Proposal.

Dr. Parker made a motion, Mr. Chair, I move that the Board of Wildlife Resources adopt the recommendation by staff to amend language throughout the Department's regulations referencing the Department of Game and Inland Fisheries to the Department of Wildlife Resources. It was seconded by Mr. Washington.

The Board Secretary took a roll call vote. Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Regulation proposal for Facility Use Fee on boat ramps:

The Board Chair called on Dr. Gray Anderson to present the Regulation proposal for Facility Use Fee on boat ramps.

The Board Chair thanked Dr. Anderson for his presentation.

The Board Chair asked if there were any questions or comments from the public or the Board.

After questions and comments, the Board Chair called for a motion.

Mr. Vincent made a motion, Mr. Chair, I move that the Board adopt the Regulation proposal for Facility Use Fee on boat ramps as presented by staff. It was seconded by Mr. Washington.

The Board Secretary took a roll call vote: Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler.

Director's Report:

The Board Chair called on Executive Director Ryan Brown for his report:

- 5 K Run for the Wild Update
- Department beginning to hold a few small Public Events that are being held outside
- Governor's Fishing Challenge in September 2020 will be virtual
- Update on hiring of the new Law Enforcement Colonel
- Inclusion Excellence Council working to develop a Diversity Plan

- National Conferences will be held Virtual this year so if Board Members want to attend they are welcome to
- Hunter Ed Class will be held outside for a group

Chair's Comments:

The Board Chair thanked everyone again who made this board meeting possible through Teleconference and Virtual means.

The Chair mentioned the Executive Director, Assistant Director, the four Committee Chairs, and the Department Senior Staff held a teleconference discussion concerning Committee meeting times, dates, meeting conduct, procedures and procedural discussion related to committee meetings. It was decided that each committee chair would put together their own virtual committee meeting on different days instead of the day before the Board meetings while we are working through COVID-19 and meeting Virtual. The Committee Chair would give a report at the next Board meeting following their committee meeting. All Board Members will be invited to attend the Virtual Committee meetings.

Each Committee Chair expressed their opinions about holding their own separate Virtual Committee meeting and feel the Committee meetings will be flexible, responsive and adoptive and will be a workable solution.

The Next Meeting Date:

The Chair announced that the next meeting date will be Thursday, October 22, 2020

Closed Session:

The Chair announced there would be a Closed Session. The Chair read the Closed Session Motion.

Closed Session Motion

August 20, 2020

I move that the Board go into a closed meeting pursuant to Section 2.2-3711.A.3 of the Code of Virginia for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiation strategy of the Board with respect to:

- (i) Real property located in: Caroline County*

And Finally, pursuant to Section 2.2-3711.A.1 of the Code of Virginia for discussion or consideration of employment, assignment, appointment, promotion, performance, demotion,

salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Department of Wildlife Resources specifically regarding;

(i) *The Performance of the Director.*

This closed meeting will be attended only by members of the Board. However, pursuant to Section 2.2-3712 (F), the Board requests legal counsel, the Department Executive Director, Chief Wildlife Resources Division, and the Real Property Manager, as it believes their presence will reasonable aid the Board in its consideration of topics that are the subject of the meeting.

It was seconded by Ms. Terwilliger.

The Board Secretary took a roll call vote. Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

The Board went into Closed Session at: 11:40 am

The Board reconvened from the Closed Session at 12:15 pm.

Mr. Adams departed at 12:15 pm

The Chairman read the Certification of Closed Meeting.

Certification of Closed Meeting

August 20, 2020

WHEREAS, the Board of Wildlife Resources conduct a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom Information Act; and

WHEREAS, Section 2.2-3712.D of the Code requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Wildlife Resources hereby certifies that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Chair called for a roll call vote.

The Board Secretary took a roll call vote: Ayes: Daniel, Washington, Vincent, Terwilliger, Boyd, Parker, Sadler

The Chair called on Board Member Karen Terwilliger to make a motion. Mr. Chair, I move that the Board authorize the Director to proceed to acquire approximately 17.5 acres of land in Caroline County, Virginia, and such authorization shall be according to state procedures. It was seconded by Mr. Sadler.

The Board Secretary took a roll call vote. Ayes: Daniel, Terwilliger, Vincent, Washington, Boyd, Parker, Sadler

The Chair thanked the Executive Director and staff for making today's meeting possible and thanked Board members for their attendance and the work they continue to do for DWR during these times and asked if anyone had any further comments for today's meeting.

Former Chair Mamie Parker congratulated Mr. Daniel on his first virtual meeting of the new Board year!

The Chair adjourned the meeting at 12:30 pm.

Respectfully Submitted,

Frances Boswell

/s/

DEPARTMENT OF WILDLIFE RESOURCES



FINAL REGULATIONS AQUATIC WILDLIFE RESOURCES DIVISION

October 2020

| | |
|---|----|
| 4VAC 15-20-50 Native and Naturalized Species List..... | 3 |
| 4VAC 15-30-40 Importation Requirements, Possession and Sale of Nonnative Animals..... | 5 |
| 4VAC 15-320-25 Creel and Length Limits..... | 16 |
| Black bass (Largemouth, Smallmouth, Spotted and Alabama)..... | 16 |
| White Bass..... | 17 |
| Walleye..... | 17 |
| Yellow Perch..... | 17 |
| Blue Catfish..... | 18 |
| 4VAC 15-320-60 Approval Required to Stock Fish into Inland Waters..... | 19 |
| 4VAC 15-320-100 Department-Owned or Controlled Lakes, Ponds, Streams, Boat Access Sites, or Hatcheries..... | 20 |
| 4VAC 15-330-110 Special Provisions Applicable to Certain Portions of Green Cove Creek, Smith Creek, and Snake Creek and Whitetop Laurel Creek..... | 22 |
| 4VAC 15-330-150 Special Provisions Applicable to Trout Fishing Using Artificial Lures with Single Hook..... | 23 |
| 4VAC 15-330-160 Special Provisions Applicable to Certain Portions | 25 |
| 4VAC 15-340-10 Haul Seines to Take Fish for Sale..... | 28 |
| 4VAC 15-340-30 Gill Nets..... | 29 |
| 4VAC 15-340-60 Seines, Traps and Nets Prohibited in Certain Areas..... | 30 |
| 4VAC 15-350-20 Gigs, Grab Hooks, Etc.; Certain Counties East of the Blue Ridge..... | 31 |
| 4VAC 15-350-70 Taking of Fish with Bow and Arrow or Crossbow..... | 32 |
| 4VAC 15-360-10 Taking Aquatic Invertebrates, Amphibians, Reptiles and Nongame Fish for Private Use..... | 33 |
| Appendix A. Creel and Length Limit Table..... | 34 |
| Appendix B. Public Comments..... | 54 |

4VAC15-20-50 Definitions; "Wild Animal," "Native Animal," "Naturalized Animal," "Nonnative (Exotic) Animal," and "Domestic Animal."

Summary: The recommendation is to update the native and naturalized list to reflect new species occurrences and taxonomic changes.

Recommended language:

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 2020 "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 2020 "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*).

"Wild animal" means any member of the animal kingdom, except domestic animals, including without limitation any native, naturalized, or nonnative (exotic) mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod, or other invertebrate, and includes any hybrid of them, except as otherwise specified in regulations of the board, or part, product, egg, or offspring of them, or the dead body or parts of them.

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 shall (i) serve as a permit for possession only, (ii) is not transferable, and (iii) must be renewed every five years.

Rationale: This list is updated every other year. Following approval, the updated list will go on our website and be available upon request.

4VAC 15-30-40 Importation Requirements, Possession and Sale of Nonnative (Exotic) Animals

Summary: The recommendation is to add Alabama Bass to the predatory and undesirable species list, and to add an exception to allow live possession and release only on the body of water from which they were captured.

The recommendation is to clarify language relating to the harvest of Grass Carp.

Recommended language:

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 below 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 |
| | Bufonidae | Rhinella marina | Cane toad* |
| | | Hymenochirus spp. Pseudohymenochirus merlini | African dwarf frog |
| | | Pipidae | Xenopus spp. |
| Anura | | | |
| Caudata | Ambystomatidae | All species | All mole salamanders |
| 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 | |
| | 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. | Piranhas | |
| | Cobitidae | Misgurnus anguillicaudatus | Oriental weatherfish | |
| | Cypriniformes | Cyprinidae | Aristichthys nobilis | Bighead carp* |
| | | | Chrosomus saylori | Laurel dace |
| | | | Ctenopharyngodon idella | Grass carp or white amur |
| | | | Cyprinella caerulea | Blue shiner |
| | | | Cyprinella formosa | Beautiful shiner |
| | | | Cyprinella lutrensis | Red shiner |
| | | | Hypophthalmichthys molitrix | 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* |
| | | <i>Gambusia gaigei</i> | Big Bend gambusia |
| Cyprinodontiformes | Poeciliidae | <i>Gambusia georgei</i> | San Marcos gambusia |

| | | | |
|-------------------|----------------|------------------------------------|----------------------------------|
| | | Gambusia heterochir | Clear Creek gambusia |
| | | Gambusia nobilis | Pecos gambusia |
| | | Peociliopsis occidentalis | Gila topminnow |
| Gasterosteiformes | Gasterosteidae | Gasterosteus aculeatus williamsoni | Unarmored threespine stickleback |
| | | Proterorhinus marmoratus | Tube-nose goby |
| Gobiesociformes | Gobiidae | Neogobius melanostomus | Round goby |
| | Centrarchidae | Micropterus henshalli | Alabama bass |
| | Channidae | Channa spp. Parachanna spp. | Snakeheads |
| | | Tilapia spp. | Tilapia |
| | Cichlidae | Gymnocephalus cernuum | Ruffe* |
| | Elassomatidae | Elassoma alabamae | Spring pygmy sunfish |
| | | Crystallaria cincotta | Diamond darter |
| | | Etheostoma chermocki | Vermilion darter |
| | | Etheostoma boschungii | Slackwater darter |
| | | Etheostoma chienense | Relict darter |
| | | Etheostoma etowahae | Etowah darter |
| Perciformes | Percidae | Etheostoma fonticola | 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 |
| | | <i>Etheostoma scotti</i> | Cherokee darter |
| | | <i>Etheostoma</i> sp. | Bluemask (= jewel) darter |
| | | <i>Etheostoma susanae</i> | Cumberland darter |
| | | <i>Etheostoma wapiti</i> | Boulder darter |
| | | <i>Percina antesella</i> | Amber darter |
| | | <i>Percina aurolineata</i> | Goldline darter |
| | | <i>Percina jenkinsi</i> | Conasauga logperch |
| | | <i>Percina pantherina</i> | Leopard darter |
| | | <i>Percina tanasi</i> | Snail darter |
| | | <i>Cottus</i> sp. | Grotto sculpin |
| Scorpaeniformes | Cottidae | <i>Cottus paulus</i> (= <i>pygmaeus</i>) | Pygmy sculpin |
| | Clariidae | All species | Air-breathing catfish |
| | | <i>Noturus baileyi</i> | Smoky madtom |
| | | <i>Noturus crypticus</i> | Chucky madtom |
| | | <i>Noturus placidus</i> | Neosho madtom |
| Siluriformes | Ictaluridae | <i>Noturus stanauli</i> | Pygmy madtom |

| | | Noturus trautmani | Scioto madtom |
|------------------|---------------|--|---|
| Synbranchiformes | Synbranchidae | Monopterus albus | Swamp eel |
| MAMMALS | | | |
| Order | Family | Genus/Species | Common Name |
| Artiodactyla | Suidae | All Species | Pigs or Hogs* |
| | Cervidae | All Species | Deer* |
| Carnivora | Canidae | All Species | Wild Dogs,* Wolves, Coyotes or Coyote hybrids, Jackals and Foxes |
| | Ursidae | All Species | Bears* |
| | Procyonidae | All Species | Raccoons and* Relatives |
| | Mustelidae | All Species (except Mustela putorius furo) | Weasels, Badgers,* Skunks and Otters Ferret |
| | Viverridae | All Species | Civets, Genets,* Lingsangs, Mongoose, and Fossas |
| | Herpestidae | All Species | Mongoose* |
| | Hyaenidae | All Species | Hyenas and Aardwolves* |
| | Felidae | All Species | Cats* |
| Chiroptera | | All Species | Bats* |
| Lagomorpha | Leporidae | Brachylagus idahoensis | Pygmy rabbit |
| | | Lepus europeaeus | European hare |

| | | | |
|----------|-----------|---------------------------------------|---|
| | | Oryctolagus cuniculus | European rabbit |
| | | Sylvilagus bachmani riparius | Riparian brush rabbit |
| | | 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 |
| | | Oryzomys palustris natator | Rice rat |
| | | Peromyscus gossypinus allapaticola | Key Largo cotton mouse |
| | | Peromyscus polionotus allophrys | Choctawhatchee beach mouse |
| | | Peromyscus polionotus ammobates | Alabama beach mouse |
| Rodentia | Muridae | | |

| | | |
|--------------|---|--------------------------------------|
| | 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. cactus) | Stephens' kangaroo rat |
| Heteromyidae | Perognathus longimembris pacificus | Pacific pocket mouse |
| Sciuridae | Cynomys spp. | Prairie dogs |

| | | | |
|-----------------|---------------|---|-----------------------------------|
| | | Spermophilus brunneus brunneus | Northern Idaho ground squirrel |
| | | 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 |
| Veneroida | Dreissenidae | Dreissena bugensis | Quagga mussel |
| | | Dreissena polymorpha | Zebra 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 |
| Decapoda | Cambaridae | Cambarus aculabrum | Cave crayfish |
| | | Cambarus zophonastes | Cave crayfish |
| | | Orconectes rusticus | Rusty crayfish |
| | | Orconectes shoupi | Nashville crayfish |
| | | Pacifastacus fortis | Shasta crayfish |

| | | | |
|--|--------------|--------------------|---------------------|
| | | 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 Game and Inland Fisheries.

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

J. 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: Alabama Bass are an invasive species that is now established in Virginia. Adding Alabama Bass to the predatory and undesirable species list adds restrictions on the possession and transport of the species. The exception for live possession on the body of water of capture and the allowance for release reflects the use of this species by bass anglers, who generally practice catch and release and who may participate in bass tournaments, where live release is often a stipulation. Given similarities in appearance to Largemouth and Spotted Bass, requirements to kill Alabama Bass may result in unintended harvest of Largemouth or Spotted Bass.

The modification to the Grass Carp portion clarifies that it is illegal to harvest Grass Carp out of public lakes and reservoirs. The previous language was unclear because it referred to “department-controlled lakes”.

4VAC 15-320-25 Creel and Length Limits – Black Bass

Summary: The recommendation is to add protections for smallmouth bass on Flannagan Reservoir (12” to 15” minimum size), eliminate size and bag limits on Alabama Bass and Spotted Bass statewide, and simplify regulations on the Shenandoah River by applying a single size and bag limit on the North Fork, South Fork, and mainstem.

Recommended Language: Creel and Length Limit table attached as appendix A. Changes have been made to clarify which regulations apply to largemouth and smallmouth bass.

Rationale:

Flannagan - Electrofishing catch rates for Smallmouth Bass in Flannagan Reservoir have declined substantially and remain low compared to those observed about ten years prior. Recent comments from anglers reflect this apparent decline in Smallmouth Bass abundance. Smallmouth Bass are a popular sportfish species in Flannagan Reservoir and anglers have voiced concerns over declining catch rates in recent years. The reality of this apparent decline is supported by annual electrofishing sampling conducted by VDWR with catch rates declining by about two-thirds since 2011. The harvest of Smallmouth Bass, like other black bass species, is relatively low. However, data from a 2016 creel survey on Flannagan Reservoir indicates that Smallmouth Bass measuring 12-13 inches in length make up nearly 70% of the total harvest for this species. Although the exact factors leading to the decline in Smallmouth Bass are unknown at this time, a conservative management approach would be to increase protection for a greater proportion of the Smallmouth Bass population.

Alabama Bass and Spotted Bass – Alabama Bass are an invasive species that has recently been discovered in Virginia. Spotted Bass are nearly identical in appearance to Alabama Bass and where found, occur at high abundance. To encourage harvest of both species, we are recommending no size or bag limit. This is consistent with North Carolina and their approach to dealing with invasive Alabama Bass. Given similarities in appearance, it is not feasible to maintain separate limits on these species.

Shenandoah River - Bass size limits vary by location on these rivers throughout the Shenandoah River Watershed. Conservation Police Officers and some stakeholders have requested more consistency among the regulations. An angler creel survey conducted in 2016 indicated no harvest of Bass on the South Fork Shenandoah River. Although no Bass harvest was observed, we are aware there is most likely a small amount of Bass harvest. The proposed change will apply the same regulation to the North Fork, South Fork, and mainstem of the Shenandoah River. This part of the Aquatic Wildlife Resource Division’s efforts to simplify regulations where possible.

4VAC 15-320-25 Creel and Length Limits – White Bass

Summary: The recommendation is to apply a 10 fish/day creel and 14” minimum size to White Bass in Lake Gaston.

Recommended Language: Creel and Length Limit table attached as appendix A.

Rationale: The White Bass population was historically very healthy in the Staunton River drainage. Changes in flow regime over time have resulted in severe declines throughout Virginia and the Staunton was no exception. Recovery of the species is of great interest for biologists and anglers in the region. Recovery through stocking and protection by regulation to limit harvest are tools we plan to use to re-establish a fishable population in Kerr Reservoir, Staunton River, Dan River, and the Virginia portion of Lake Gaston.

The White Bass fishery was once very popular in the Staunton River drainage. If we can recover the fishery through stocking, it will be necessary to protect the establishing fishery through regulation (creel and/or length limits). A regulation change will also be necessary to match a statewide regulation already imposed by the North Carolina Wildlife Resources Commission (14” minimum length limit, 10 fish/day creel limit). VDWR and NCWRC try to enforce the same regulations on shared waters like Kerr Reservoir, Lake Gaston, and the Dan River.

Age and growth information shows that White Bass in the system grow quickly and should reach the minimum size limit in just two to three years.

4VAC 15-320-25 Creel and Length Limits - Walleye

Summary: The recommendation is implement a consistent, year round slot limit of 19-28” (with 2/day limit) on Walleye in Claytor Lake and portions of the New River.

Recommended Language: Creel and Length Limit table attached as appendix A.

Rationale: Implement a year round 19 to 28 inch slot limit, 2 per day creel limit for Walleye from Claytor Lake Dam to Buck Dam in Carroll County to provide further protection for large female Walleye in this section of the Upper New River. Remove the 20 inch minimum size limit with a 5 per day creel limit from the New River upstream from Buck Dam and the reference to the 18 inch minimum size limit on the New River downstream from Claytor Dam, allowing these areas of the New River to be regulated by statewide Walleye size and creel limits. This is part of the AWRD’s efforts to simplify fishing regulations where possible.

4VAC 15-320-25 Creel and Length Limits – Yellow Perch

Summary: The recommendation is implement a 9” minimum size on Yellow Perch below the fall line for all coastal rivers of the Chesapeake Bay.

Recommended Language: Creel and Length Limit table attached as appendix A.

Rationale: About five years ago (~2013), members of CCA Northern Virginia Chapter began complaining about population status of Yellow Perch in Virginia Potomac River tributaries (primarily Occoquan River and other northern Virginia creeks). Complaints continued and intensified over the next few years. Concerns centered on poor recreational catch rates and perceptions of commercial overfishing. Yellow Perch are a native species present in all large coastal rivers, many smaller rivers and reservoirs. Currently, there is no regulation on harvest (no creel or size limit), and they are one of the species specifically designated to be taken in “unlimited numbers” below the fall line.

Surveys indicate that Yellow Perch abundance in Virginia is lower than expected, and total annual mortality was high. Adding a 9” minimum size is a prudent measure to foster recovery and sustainable harvest.

4VAC 15-320-25 Creel and Length Limits – Blue Catfish

Summary: The recommendation is to apply a no daily limit, except only one over 32” limit on Blue Catfish to the Rappahannock River and its tributaries, below the fall line.

Recommended Language: Creel and Length Limit table attached as appendix A.

Rationale: Blue catfish are currently managed under the same regulation in the tidal James and York River systems. Expanding to the Rappahannock will increase regulatory consistency and limit harvest of very large catfish, which comprise a small portion of the population and are known to have a higher contaminant load. This will limit consumption of potentially contaminated fish. This will also benefit the popular trophy fishery, which generates millions of dollars across the Virginia tributaries of the Chesapeake Bay.

4VAC 15-320-60 Approval Required to Stock Fish into Inland Waters

Summary: The recommendation is to make it unlawful to stock Spotted Bass in Virginia

Recommended Language:

4VAC15-320-60. Approval Required to Stock Fish into Inland Waters.

It shall be unlawful to stock any species of fish into any inland waters of the Commonwealth, without first obtaining written approval to do so from the department. Nothing in this section shall be construed as restricting the use of native and naturalized species of fish in privately-owned ponds and lakes, except spotted bass as well as blue catfish and their hybrids may not be stocked.

Rationale: Spotted Bass are almost identical in appearance to the invasive Alabama Bass. Alabama Bass are spread by anglers attempting to establish sport fisheries. By restricting the stocking of Spotted Bass, the potential for unintentional stocking of Alabama Bass is reduced. This action also eliminate a potential reason for having live Alabama Bass in possession outside of the body of water of capture, helping to establish intent to stock illegally.

4VAC 15-320-100 Department-Owned or Controlled Lakes, Ponds, Streams, Boat Access Sites, or Hatcheries

Summary: The recommendation is to modify existing regulations on department-owned lakes and ponds to allow paddleboats and to allow contests for prizes, with restrictions that require a permit and limit events to catch, photo, release.

Recommended Language:

4VAC15-320-100. Department-Owned or Controlled Lakes, Ponds, Streams, Boat Access Sites, or Hatcheries.

A. Motors and boats. Unless otherwise posted at each recognized entrance to any department-owned or controlled lake, pond or stream, the use of boats propelled by gasoline motors or sail is prohibited. Department employees and other government agency officials may use gasoline motors in the performance of official duties.

B. Method of fishing. Taking any fish at any department-owned or controlled lake, pond or stream by any means other than by use of one or more attended poles with hook and line attached is prohibited unless otherwise posted in which case cast nets (subject to [4VAC15-360-10 B](#)) may be used for collecting nongame fish for use as bait.

C. Hours for fishing. Fishing is permitted 24 hours a day unless otherwise posted at each recognized entrance to any department-owned or controlled lake, pond, stream, or boat access site.

D. Seasons; hours and methods of fishing; size and creel limits; hunting and trapping. The open seasons for fishing, as well as fishing hours, methods of taking fish and the size, possession and creel limits, and hunting and trapping for department-owned or department-controlled lakes, ponds, streams or boat access sites shall conform to the regulations of the board unless otherwise excepted by posted rules by the director or his designee. Such posted rules shall be displayed at each lake, pond, stream or boat access site, in which case the posted rules shall be in effect. Failure to comply with posted rules concerning seasons, hours, methods of taking, bag limits, and size, possession and creel limits shall constitute a violation of this regulation.

E. Other uses. Camping overnight or building fires (except in developed and designated areas), swimming, or wading in department-owned or department-controlled lakes, ponds or streams (except by anglers, hunters and trappers actively engaged in fishing, hunting or trapping), is prohibited. All other uses shall conform to the regulations of the board unless excepted by posted rules.

F. Fishing tournaments, etc. A boat ramp special use permit is required to organize, conduct, supervise or solicit entries for fishing tournaments, rodeos or other fishing events on lakes, ponds, or streams owned by the department, for which prizes are offered, awarded or accepted based on size or numbers of fish caught, either in money or other valuable considerations. Any

fish captured and entered for scoring or consideration during a permitted fishing tournament, rodeo, or other fishing event on lakes, ponds or streams owned by the department must be immediately released at the capture site. A boat ramp special use permit is not required for tournaments, rodeos or other fishing events that occur on a statewide or nationwide basis and that do not have a designated meeting or gathering location.

Rationale: Some anglers fish from paddleboats, and there is little reason to restrict said vessels. Allowing catch-photo-release contests on department-owned lakes and ponds will increase usage and provide additional recreational opportunity for small boats and paddlecraft. We received several inquiries from kayak tournament organizations asking for a change in this regulation. A permit system will prevent user conflict and create a stream of fishery dependent data for our biologists to use to manage department-owned lakes.

4VAC 15-330-110 Special Provisions Applicable to Certain Portions of Green Cove Creek, Smith Creek, and Snake Creek and Whitetop Laurel Creek

Summary: The recommendation is to move portions of Green Cove Creek, Smith Creek, Snake Creek and Whitetop Laurel Creek from 12” minimum size to catch and release.

Recommended Language:

Rationale:

The special regulation sections of Whitetop Laurel and Green Cove Creek have been managed under a single hook artificial lure, six fish per day/12” minimum size limit for many years. Scientific data reveals that most wild trout in these two streams rarely reach 11” in length, thus providing very few opportunities to actually creel a legal fish. The special regulation sections of Snake Creek and Smith Creek are managed through fingerling trout stockings.

Whitetop Laurel and Green Cove Creek are the most popular wild trout streams in the Mount Rogers National Recreation Area and receive the heaviest fishing pressure in Southwest Virginia. The Stocked Trout Management Plan and the Wild Trout Management Plan stress the need to simplify and streamline regulations where possible. Popularity of Whitetop Laurel and Green Cove Creek has led DGIF staff to consider changing the current regulation to catch and release which will more align with some of the current special regulations found on other local wild trout streams.

The Stocked Trout and Wild Trout Management plans have encouraged simplification of regulations where appropriate. The current 12” minimum size limit currently functions as a catch and release regulation on both Snake Creek in Carroll County and Smith Creek in Alleghany County. As a result it makes sense to remove the 12” minimum size limit from those waters and apply catch and release regulations that would be compatible with the changes for Whitetop Laurel and Green Cove Creek.

4VAC 15-330-150 Special Provisions Applicable to Trout Fishing Using Artificial Lures with Single Hook.

Summary: The recommendation is to move portions of Green Cove Creek, Smith Creek, Snake Creek and Whitetop Laurel Creek from 12” minimum size to artificial lure, single hook, catch and release.

Recommended Language:

4VAC15-330-150. Special Provision Applicable to Trout Fishing Using Artificial Lures with Single Hook.

It shall be lawful year around to fish for trout using only artificial lures with single hooks within:

1. The Stewarts Creek Trout Management Area in Carroll County.

2. The Rapidan and Staunton Rivers and their tributaries upstream from a sign at the Lower Shenandoah National Park boundary in Madison County.
3. The Dan River and its tributaries between the Townes Dam and the Pinnacles Hydroelectric Project powerhouse in Patrick County.
4. The East Fork of Chestnut Creek (Farmers Creek) and its tributaries upstream from the Blue Ridge Parkway in Grayson and Carroll Counties.
5. Roaring Fork and its tributaries upstream from the southwest boundary of Beartown Wilderness Area in Tazewell County.
6. That section of the South Fork Holston River and its tributaries from the concrete dam at Buller Fish Culture Station downstream to the lower boundary of the Buller Fish Culture Station in Smyth County.
7. North Creek and its tributaries upstream from a sign at the George Washington National Forest North Creek Campground in Botetourt County.
8. Spring Run from its confluence with Cowpasture River upstream to a posted sign at the discharge for Coursey Springs Hatchery in Bath County.
9. Venrick Run and its tributaries within the Big Survey Wildlife Management Area and Town of Wytheville property in Wythe County.
10. Brumley Creek and its tributaries from the Hidden Valley Wildlife Management Area boundary upstream to the Hidden Valley Lake Dam in Washington County.
11. Stony Creek (Mountain Fork) and its tributaries within the Jefferson National Forest in Wise and Scott Counties from the outlet of High Knob Lake downstream to the confluence of Chimney Rock Fork and Stony Creek.
12. Little Stony Creek and its tributaries within the Jefferson National Forest in Scott County from the Falls of Little Stony Creek downstream to a posted sign at the Hanging Rock Recreation Area.
13. Little Tumbling Creek and its tributaries within the Clinch Mountain Wildlife Management Area in Smyth and Tazewell Counties downstream to the concrete bridge.
14. Big Tumbling Creek and its tributaries within the Clinch Mountain Wildlife Management Area in Smyth County from a sign starting at the foot of the mountain and extending upstream seasonally from October 1 until five days prior to the first Saturday in April.
15. South River in the City of Waynesboro from the Wayne Avenue Bridge downstream 2.2 miles to the Second Street Bridge.

16. Wolf Creek and its tributaries within the Abingdon Muster Grounds in the Town of Abingdon from Colonial Road downstream to Stone Mill Road.

17. Beaver Creek and its tributaries within the boundaries of Sugar Hollow Park in the City of Bristol.

18. Green Cove Creek in Washington County from Route 859 downstream to its mouth.

19. Whitetop Laurel Creek in Washington County upstream from the mouth of Straight Branch to a sign posted at the Forest Service boundary just downstream of Taylor Valley, and in Whitetop Laurel Creek in Washington County upstream from the first railroad trestle above Taylor Valley to the mouth of Green Cove Creek at Creek Junction.

20. Smith Creek in Alleghany County from the Clifton Forge Dam downstream to a sign at the Forest Service boundary above the C & O Dam.

21. Snake Creek in Carroll County below Hall Ford and that portion of Little Snake Creek below the junction of Routes 922 and 674, downstream to Route 58

All trout caught in these waters must be immediately returned to the water. No trout or bait may be in possession at any time in these areas.

Rationale: See rationale for 4VAC 15-330-150.

4VAC 15-330-160 Special Provisions Applicable to Certain Portions of Accotink Creek, Back Creek, Big Moccasin Creek, Chestnut Creek, Hardware River, Holliday Creek, Holmes Run, Indian Creek, North River, Passage Creek, Peak Creek, Pedlar River, North Fork of Pound and Pound Rivers, Middle Fork of Powell River, and Roanoke River.

Summary: The recommendation is to add Hardy Creek and Piney River as delayed harvest opportunities. Remove Peak Creek and Hardware River from delayed harvest list.

Recommended Language:

4VAC15-330-160. Special Provisions Applicable to Certain Portions of Accotink Creek, Back Creek, Big Moccasin Creek, Chestnut Creek, Hardy Creek, Holliday Creek, Holmes Run, Indian Creek, North River, Passage Creek, Pedlar River, Piney River, North Fork of Pound and Pound Rivers, Middle Fork of Powell River, and Roanoke River.

It shall be lawful to fish from October 1 through May 31, both dates inclusive, using only artificial lures in Accotink Creek (Fairfax County) from King Arthur Road downstream 3.1 miles to Route 620 (Braddock Road), in Back Creek (Bath County) from the Route 600 bridge just below the Virginia Power Back Creek Dam downstream 1.5 miles to the Route 600 bridge at the lower boundary of the Virginia Power Recreational Area, in Big Moccasin Creek (Scott County) from the Virginia Department of Transportation foot bridge downstream approximately 1.9 miles to the Wadlow Gap Bridge, in Chestnut Creek (Carroll County) from the U.S. Route 58 bridge downstream 11.4 miles to the confluence with New River, in Hardy Creek (Lee County) from the VDOT swinging bridge just upstream of the Route 658 ford downstream to the Route 661 bridge, in Holliday Creek (Appomattox/Buckingham Counties) from the Route 640 crossing downstream 2.8 miles to a sign posted at the headwaters of Holliday Lake, in Holmes Run (Fairfax County) from the Lake Barcroft Dam downstream 1.2 miles to a sign posted at the Alexandria City line, in Indian Creek within the boundaries of Wilderness Road State Park (Lee County), in the North River (Augusta County) from the base of Elkhorn Dam downstream 1.5 miles to a sign posted at the head of Staunton City Reservoir, in Passage Creek (Warren County) from the lower boundary of the Front Royal State Hatchery upstream 0.9 miles to the Shenandoah/Warren County line, in the Pedlar River (Amherst County) from the City of Lynchburg/George Washington National Forest boundary line (below Lynchburg Reservoir) downstream 2.7 miles to the boundary line of the George Washington National Forest, in the Piney River (Nelson County) in that portion of stream from the Piney River Trailhead (Route 151) to the Rose Mill Trailhead (Route 674) adjacent to the Blue Ridge Railway Trail, in North Fork of Pound and Pound rivers from the base of North Fork of Pound Dam downstream to the confluence with Indian Creek, in the Middle Fork of Powell River (Wise County) from the old train trestle at the downstream boundary of Appalachia extending approximately 1.9 miles downstream to the trestle just upstream of the Town of Big Stone Gap, in the Roanoke River (Roanoke County) from the Route 760 bridge (Diuguids Lane) upstream 1.0 miles to a sign posted at the upper end of Green Hill Park (Roanoke County), and in the Roanoke River (City of Salem) from the Route 419 bridge upstream 2.2 miles to the Colorado Street bridge. From October 1 through May 31, all trout caught in these waters must be immediately returned to the water unharmed, and it shall be unlawful for any person to have in possession any bait or trout. During the period of June 1 through September 30, the above restrictions will not apply.

Rationale:

The Hardware River (Fluvanna County), within the Hardware River Wildlife Management Area (HRWMA), is a stocked trout stream managed under a special regulation (delayed harvest). The delayed harvest program was created in the late 80's to provide a catch-and-release fishing experience for trout angler that fish exclusively with artificial lures and flies. The Hardware

River was one of the first streams added to the program because it provided a long stretch of fishable water on public land that was close to the population centers of Richmond and Charlottesville. Since 2007, agency field staff and law enforcement has observed little usage of the fisheries resource in the Hardware River and attribute low usage to the difficulty for anglers to reach the stream at multiple locations and the lack of habitat to hold trout during the stocking season. At two of the three access locations, anglers have to hike 0.5 to 1 miles to access the stream and the sandy, low-gradient stream does not have the deep pools and barriers to stop trout from migrating downstream to the James River. There have been numerous complaints from anglers that have traversed the long distances to fish the stream and did not catch or even observe a trout in the stocked section. This is especially true the longer the time after a stocking event and after moderate to high flow stream events. Additionally, access roads to stocking locations are difficult to maintain by the limited agency staff and have considerable degradation/erosion, causing unsafe travel conditions for stocking vehicles. Agency staff feels like the trout allocated for the Hardware River could be used in other locations that have better benefits for the anglers of Virginia, including the expansion of the Piney River fishery in neighboring Amherst County or potential waters in the Town of Charlottesville.

Lee County offers anglers limited fishing opportunities due to limited access because of private land ownership. The Stocked Trout Management Plan proposes an increase in special regulation trout waters to meet an increasing desire by anglers to offer more fishing opportunities other than the traditional catchable stocked trout waters (put-n-take). Hardy Creek historically was enrolled in the stocked trout program, but was discontinued due to conflicts associated with the traditional opening day. Lee County residents have petitioned DWR to renew management of this stream with the approval of the current landowners and the County Board of Supervisors. Hardy Creek offers desirable flows, temperatures, and instream habitat to support trout. Additionally, hatchery production at the Marion Fish Hatchery would allow for the inclusion of this new water into the delayed harvest program without impacts to the hatchery's current allocations.

This regulation proposal has been requested by DWR Law Enforcement and by numerous anglers that fish Peak Creek. By removing Peak Creek from Delayed Harvest regulation and adding it to the Catchable Trout Program, the desires of anglers would be satisfied. In addition, a portion of Peak Creek is dangerous for the public to access and has very poor trout habitat. This section needs to be eliminated from the Delayed Harvest boundary anyway. Finally, converting this stream from Delayed Harvest to the Catchable Trout Program would be the most appropriate to allow immediate harvest of stocked trout, particularly with the continuation of studies at the old Allied Chemical plant site.

This segment of the Piney River offers a unique opportunity for a hike/bike-in fishery. Adjacent landowner permission and public access have been secured. The habitat offers the potential for the development of an excellent trout fishery. The existing infrastructure (Blue Ridge Railway Trail) provides foot/bike access, stocking access, and parking. Development of a delayed harvest fishery on this segment of the Piney River will offer an excellent trout fishing experience to anglers. The setting, access, and habitat conditions suggest use will be high and anglers will be very satisfied with the experience.

4VAC 15-340-10 Haul Seines to Take Fish for Sale

Summary: The recommendation is to remove American Shad from the list of species allowed to be taken for sale with haul seines in Virginia Beach City.

Recommended Language:

4VAC15-340-10. Haul Seines to Take Fish for Sale.

A. Authorization to take fish for sale. A haul seine permit shall authorize the person to whom issued to take fish for sale as specified with a haul seine from the waters designated in this section.

B. Permit holder to be present when seine operated. The holder of a haul seine permit must be present with the seine at all times when it is being operated. The holder, however, may have others to assist him and such persons assisting are not required to have a permit.

C. Length and size of nets. The length of haul seine nets shall not be more than 500 yards. The size of mesh shall be 1-1/2 inch bar mesh.

D. Season and fish to be taken in Virginia Beach City. In Back Bay and its natural tributaries (not including Lake Tecumseh and Red Wing Lake), North Landing River from the North Carolina line to Pungo Ferry (not including Blackwater River), the open season to take all fish, except game fish, American shad, alewife, and blueback herring, with a haul seine shall be from November 1 through March 31, both dates inclusive. The harvest limit for anadromous hickory shad shall be 10 per day.

E. Labeling packages containing fish taken with haul seine. It shall be unlawful for any person to ship or otherwise transport any package, box or other receptacle containing fish taken under a haul seine permit unless the same bears a label showing the name and address of the owner of the seine and a statement of the kind of fish contained in it.

F. Reporting. The holder of a permit to take fish for sale by means of haul seines shall keep a record of the pounds of fish taken by species and location (name and county of water body), and the pounds of each species sold.

Rationale: Harvest of American Shad is currently not allowed under VMRC regulations because of the poor status of the stock. This will bring the regulation into alignment with VMRC regulations.

4VAC 15-340-30 Gill Nets

Summary: The recommendation is to remove American Shad from the list of species allowed to be taken for sale with gill nets in Virginia Beach City.

Recommended Language:

4VAC15-340-30. Gill Nets.

A. Authorization to take fish. A gill net permit shall authorize the holder thereof to take nongame fish during the times and in the waters and for the purposes provided for in this section. Such gill net shall not be more than 300 feet in length. The mesh size shall be not less than one-inch bar or square mesh (three-inch stretch mesh). Applicants must annually purchase tags for each net the applicant intends to operate and attach a department tag to each net prior to use. A single permit will be issued to the permittee and shall list each tag number the permittee has been issued. All nets must be checked daily and all game fish returned to the wild.

B. Permit holder to be present when gill net is being set and checked for fish. The holder of a gill net permit must be present with the net at all times when it is being set and checked for fish. The holder may have others to assist him, and such persons

assisting are not required to have a permit. However, those assisting the permittee must meet the fishing license requirements of the Commonwealth.

C. Times and places permitted in Virginia Beach City; fish which may be taken. Gill nets may be used in Virginia Beach City in Back Bay and its natural tributaries (not including Lake Tecumseh and Red Wing Lake) and North Landing River from the North Carolina line to Pungo Ferry (not including Blackwater River) for the taking of nongame fish, except American shad, alewife and blueback herring, for table use and also for sale from November 1 through March 31, both dates inclusive. The harvest limit for anadromous hickory shad shall be 10 per day. Gill nets set in Back Bay waters shall be at least 300 feet from any other net and at least 300 feet from the shoreline. All such nets must be marked at both ends and at least every 100 feet along the length of the net with a five-inch by 12-inch minimum dimensions float.

Rationale: Harvest of American Shad is currently not allowed under VMRC regulations because of the poor status of the stock. This will bring the regulation into alignment with VMRC regulations.

4VAC 15-340-60 Seines, Traps, and Nets Prohibited in Certain Areas.

Summary: The recommendation is to prohibit the use of seines, nets, and traps in tributaries of Hungry Mother Lake because of the potential to capture state endangered Tennessee Dace.

Recommended Language:

4VAC15-340-60. Seines, Traps, and Nets Prohibited in Certain Areas.

A. It shall be unlawful to use seines and nets of any kind for the taking of fish from the public waters of the Roanoke (Staunton) and Dan Rivers in Campbell, Charlotte, Halifax, and Pittsylvania Counties and in the City of Danville; provided, however, this section shall not be construed to prohibit the use of hand-landing nets for the landing of fish legally hooked or the taking of fish from these waters pursuant to the provisions of [4VAC15-360](#). In addition, this section shall not be construed to prohibit the use of cast nets, also known as throw nets, for the taking of bait fish.

B. In Lick Creek and tributaries in Smyth and Bland Counties, in Bear Creek and in streams and their associated tributaries that flow into Hungry Mother Lake in Smyth County, in Laurel Creek and tributaries upstream of Highway 16 bridge in Tazewell and Bland Counties, in Susong Branch and Mumpower Creek in Washington County and the City of Bristol, and in Timbertree Branch in Scott County, it shall be unlawful

to use seines, nets, or traps; provided, however, this section shall not be construed to prohibit the use of hand-landing nets for the landing of fish legally hooked.

Rationale: The Tennessee Dace is a state endangered species found in the Holston River system in Virginia. It occurs in several streams and their tributaries that drain into Hungry Mother Lake, Smyth Co. Recently, viable populations of a non-native congener, the Mountain Redbelly Dace, has been discovered in several of these tributaries. Because Mountain Redbelly Dace can hybridize and out-compete Tennessee Dace, it is prudent to prevent its spread.

Currently 4 VAC 15-340-60 Section B. prohibits the use of seines, traps, and nets in Hungry Mother Creek above Hungry Mother Lake. As written, the regulation does not include tributaries that enter Hungry Mother Lake between the dam and where the Hungry Mother Creek enters the lake. Currently, a strong population of *C. oreas* is found in an unnamed tributary near the main boat ramp that is not covered under this regulation. The revised regulation will reduce collections of Tennessee Dace and the unintentional spread of Mountain Redbelly Dace.

4VAC 15-350-20 Gigs, Grab Hooks, Etc.; Certain Counties East of the Blue Ridge Mountains.

Summary: The recommendation is to allow the use of gigs to harvest Northern Snakehead in the tributaries of the Potomac River as well as portions of the Rappahannock River below the fall line.

Recommended Language:

4VAC15-350-20. Gigs, Grab Hooks, Etc.; Certain Counties East of the Blue Ridge Mountains.

It shall be lawful to take nongame fish (daily creel (possession) and length limits for nongame fish are found in [4VAC15-320-25](#)) at any time by snagging, grabbing, snaring, gigging, and with a striking iron in all waters of the following counties, except public impoundments, the Roanoke (Staunton) and Dan rivers, the James River in Goochland County and those waters stocked by the department: Amelia, Appomattox, Brunswick, Buckingham, Campbell, Charlotte, Cumberland, Dinwiddie, Goochland, Greenville, Halifax, Louisa, Lunenburg, Mecklenburg, Nottoway, Pittsylvania and Prince Edward. It shall be lawful to take nongame fish by gig or fishing spear from a position above the surface of the water on those portions below the fall line of the Rappahannock River and its tributaries and the Potomac River and

its tributaries. For the purpose of this section, a fishing spear is defined as an implement with a shaft and sharp point or tines designed to be thrust or thrown by hand.

Rationale: There is interest in using a fishing spear, which is technically a gig, to capture Northern Snakehead in these systems. This addition will allow another means for harvesting Northern Snakehead and other nongame fish in these systems.

4VAC 15-350-70 Taking of Fish with Bow and Arrow or Crossbow.

Summary: The recommendation is to clarify language relating to the harvest of Grass Carp.

Recommended Language:

4VAC15-350-70. Taking of Fish with Bow and Arrow or Crossbow.

A. Season. Except as otherwise provided by local legislation or as posted, it shall be lawful to take common carp, northern snakehead, goldfish, and gar from the public inland waters of the Commonwealth, grass carp from public rivers and streams of the Commonwealth except public inland lakes and reservoirs, and bowfin and catfish from below the fall line in tidal rivers of the Chesapeake Bay, except waters stocked with trout, by means of bow and arrow or crossbow.

B. Poison arrows or explosive-head arrows prohibited. It shall be unlawful to use poison arrows or arrows with explosive heads at any time for the purpose of taking common carp, grass carp, northern snakehead, bowfin, catfish, goldfish, or gar in the public inland waters of the Commonwealth.

C. Fishing license required. All persons taking fish in the manner described in this section shall be required to have a regular fishing license.

D. Creel limits. The creel limits for common carp, grass carp, northern snakehead, goldfish, and catfish shall be unlimited, provided that any angler taking northern snakehead immediately kill such fish and notify the department, as soon as practicable, of such actions and provided that any

angler taking grass carp ensure that harvested fish are dead. The creel limit for bowfin and longnose gar shall be five fish per day.

Rationale: The modification to the Grass Carp portion clarifies that it is illegal to harvest Grass Carp out of public lakes and reservoirs. The previous language was unclear because it referred to “department-controlled lakes”.

4VAC 15-360-10 Taking Aquatic Invertebrates, Amphibians, Reptiles and Nongame Fish for Private Use

Summary: The recommendation is to clarify language relating to the harvest of Grass Carp and to remove Candy Darter to eliminate redundancy with the Code of Virginia.

Recommended Language:

4VAC15-360-10. Taking Aquatic Invertebrates, Amphibians, Reptiles, and Nongame Fish for Private Use.

A. Possession limits. Except as otherwise provided for in § [29.1-418](#) of the Code of Virginia, [4VAC15-20-130](#), [4VAC15-320-40](#), and the sections of this chapter, it shall be lawful to capture and possess live for private use and not for sale no more than five individuals of any single native or naturalized (as defined in [4VAC15-20-50](#)) species of amphibian and reptile and 20 individuals of any single native or naturalized (as defined in [4VAC15-20-50](#)) species of aquatic invertebrate and nongame fish unless specifically listed below:

1. The following species may be taken in unlimited numbers from inland waters statewide: carp, mullet, yellow bullhead, brown bullhead, black bullhead, flat bullhead, snail bullhead, white sucker, northern hogsucker, gizzard shad, threadfin shad, blueback herring (see [4VAC15-320-25](#) for anadromous blueback herring limits), white perch, yellow perch, alewife (see [4VAC15-320-25](#) for anadromous

alewife limits), stoneroller (hornyhead), fathead minnow, golden shiner, goldfish, and Asian clams. Grass carp may only be harvested in unlimited numbers from public inland rivers and streams of the Commonwealth. . It is unlawful to harvest grass carp from any public inland lake and reservoir. Anglers taking grass carp must ensure that all harvested grass carp are dead.

2. See [4VAC15-320-25](#) for American shad, hickory shad, channel catfish, white catfish, flathead catfish, and blue catfish limits.

3. For the purpose of this chapter, "fish bait" shall be defined as native or naturalized species of minnows and chubs (Cyprinidae), salamanders (each under six inches in total length), crayfish, and hellgrammites. The possession limit for taking "fish bait" shall be 50 individuals in aggregate, unless said person has purchased "fish bait" and has a receipt specifying the number of individuals purchased by species, except salamanders and crayfish which cannot be sold pursuant to the provisions of [4VAC15-360-60](#) and [4VAC15-360-70](#). However, stonerollers (hornyheads), fathead minnows, golden shiners, and goldfish may be taken and possessed in unlimited numbers as provided for in subdivision 1 of this subsection.

4. The daily limit for bullfrogs shall be 15 and for snapping turtles shall be five. Snapping turtles shall only be taken from June 1 to September 30. Bullfrogs and snapping turtles may not be taken from the banks or waters of designated stocked trout waters.

5. The following species may not be taken in any number for private use: eastern hellbender, diamondback terrapin, and spotted turtle.

6. Native amphibians and reptiles, as defined in [4VAC15-20-50](#), that are captured within the Commonwealth and possessed live for private use and not for sale may be liberated under the following conditions:

- a. Period of captivity does not exceed 30 days;
- b. Animals must be liberated at the site of capture;
- c. Animals must have been housed separately from other wild-caught and domestic animals; and
- d. Animals that demonstrate symptoms of disease or illness or that have sustained injury during their captivity may not be released.

B. Methods of taking species in subsection A of this section. Except as otherwise provided for in the Code of Virginia, [4VAC15-20-130](#), [4VAC15-320-40](#), and other regulations of the board, and except in any waters where the use of nets is prohibited, the species listed in subsection A of this section may only be taken (i) by hand, hook and line; (ii) with a seine not exceeding four feet in depth by 10 feet in length; (iii) with an umbrella type net not exceeding five by five feet square; (iv) by small

minnow traps with throat openings no larger than one inch in diameter; (v) with cast nets; and (vi) with hand-held bow nets with diameter not to exceed 20 inches and handle length not to exceed eight feet (such cast net and hand-held bow nets when so used shall not be deemed dip nets under the provisions of § [29.1-416](#) of the Code of Virginia). Gizzard shad and white perch may also be taken from below the fall line in all tidal rivers of the Chesapeake Bay using a gill net in accordance with Virginia Marine Resources Commission recreational fishing regulations. Bullfrogs may also be taken by gigging or bow and arrow and, from private waters, by firearms no larger than .22 caliber rimfire. Snapping turtles may be taken for personal use with hoop nets not exceeding six feet in length with a throat opening not exceeding 36 inches.

C. Areas restricted from taking mollusks. Except as provided for in §§ [29.1-418](#) and [29.1-568](#) of the Code of Virginia, it shall be unlawful to take the spiny riversnail (*Io fluvialis*) in the Tennessee drainage in Virginia (Clinch, Powell, and the North, South, and Middle Forks of the Holston Rivers and tributaries). It shall be unlawful to take mussels from any inland waters of the Commonwealth.

D. Areas restricted from taking salamanders. Except as provided for in §§ [29.1-418](#) and [29.1-568](#) of the Code of Virginia, it shall be unlawful to take salamanders in Grayson Highlands State Park and on National Forest lands in the Jefferson National Forest in those portions of Grayson, Smyth, and Washington Counties bounded on the east by State Route 16, on the north by State Route 603 and on the south and west by U.S. Route 58.

Rationale: The modification to the Grass Carp portion clarifies that it is illegal to harvest grass carp out of public lakes and reservoirs. The previous language was unclear because it referred to “department-controlled lakes”.

As a state endangered species, harvest of Candy Darter is prohibited by 29.1-564 of the Code of Virginia. The language in the regulation is unnecessary.

Appendix A:

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 |
| | | Philpott Reservoir | No largemouth or smallmouth bass less than 12 inches |
| | | Quantico Marine Base waters | No largemouth or smallmouth bass 12 to 15 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 | No largemouth or smallmouth bass less than 20 inches; |

| | | | |
|--|--|---|---|
| | | Scott, Wise, Russell, or Tazewell Counties | 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 per day in the aggregate longer than 20 inches |
| | | Dan River and tributaries downstream from the Union Street Dam, Danville | Only 2 of 5 largemouth or smallmouth bass 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 | No largemouth or smallmouth bass 14 to 22 inches; only 1 largemouth or smallmouth bass in the aggregate per |

| | | | |
|--|--|---|--|
| | | <p>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)</p> | <p>day longer than 22 inches</p> |
| | | <p>North Fork Holston River - Rt. 91 bridge upstream of Saltville, VA downstream to</p> | <p>No largemouth or smallmouth bass less than 20 inches; only 1 largemouth or smallmouth bass in the aggregate per</p> |

| | | | |
|--|--|--|--|
| | | the VA - TN state line | day longer than 20 inches |
| | | | |
| | | Potomac River - Virginia tidal tributaries above Rt. 301 bridge | No largemouth bass 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 |
| | | | No largemouth bass or smallmouth bass 11 to 14 inches |
| | | Shenandoah River, South Fork Shenandoah River, North Fork Shenandoah River | |

| | | | | |
|----------------------------|---|---|---|--|
| | | | | No largemouth bass or smallmouth bass 11 to 14 inches |
| | | | Staunton River - Leesville Dam (Campbell County) downstream to the mouth of Difficult Creek, Charlotte County | No smallmouth bass less than 20 inches; only 1 per day longer than 20 inches |
| Alabama bass, spotted bass | | No statewide daily limit No statewide length limits | | |
| striped bass | landlocked striped bass and landlocked striped bass - white bass hybrids | 4 per day in the aggregate No fish less than 20 inches | Buggs Island (Kerr) Reservoir, including the Staunton River to Leesville Dam and the Dan River to Union Street Dam (Danville) | October 1 - May 31: 2 per day in the aggregate; no striped bass or hybrid striped bass less than 20 inches June 1 - September 30: 4 per day in the aggregate; no length limit |

| | | | |
|--|--|---|---|
| | | | <p>September 16 – June 30: 2 per day in the aggregate; no striped bass or hybrid bass less than 20 inches</p> <p>July 1 – September 15: 4 per day in the aggregate; no length limit</p> |
| | | <p>Claytor Lake and its tributaries</p> | |
| | | <p>Smith Mountain Lake and its tributaries, including the Roanoke River upstream to Niagara Dam</p> | <p>2 per day in the aggregate</p> <p>November 1 - May 31: No striped bass 30 to 40 inches</p> <p>June 1 - October 31: No length limit</p> |
| | | <p>Lake Gaston</p> | <p>4 per day in the aggregate</p> <p>October 1 - May 31: No striped bass or hybrid striped bass less than 20 inches</p> <p>June 1 - September 30: No length limit</p> |

| | | | | |
|------------|---|--|--|--|
| | <p>anadromous (coastal) striped bass above the fall line in all coastal rivers of the Chesapeake Bay</p> | <p>Creel and length limits shall be set by the Virginia Marine Resources Commission for recreational fishing in tidal waters</p> | | |
| | <p>anadromous (coastal) in the Meherrin, Nottoway, Blackwater (Chowan Drainage), North Landing and Northwest Rivers and their tributaries plus Back Bay</p> | <p>2 per day No striped bass less than 18 inches</p> | | |
| white bass | | <p>5 per day No statewide length limits</p> | <p>Buggs Island (Kerr) Reservoir, including the Staunton River to Leesville Dam and the Dan River to Union Street Dam (Danville)</p> | <p>10 per day; no white bass less than 14 inches</p> |

| | | | | |
|------------------|--|---|---|--|
| | | | 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 Buck Dam in Carroll 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 | | 5 per day No statewide length limits | Gaston and Buggs Island (Kerr) Reservoirs | No daily limit |
| northern pike | | 2 per day No pike less than 20 inches | | |

| | | | | |
|---|--|---|---|--|
| | | | New River - Fields Dam (Grayson County) downstream to Claytor Dam, including Claytor Lake | 1 per day; no muskellunge less than 42 inches |
| muskellunge | | 2 per day No muskellunge less than 30 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 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 No statewide length limits | Lake Gaston and that portion of the New River from the VA - NC state line | No daily limit |

| | | | | |
|--------------------|--|--|---|---|
| | | | downstream to the confluence of the New and Little Rivers in Grayson County | |
| | | | Buggs Island (Kerr) Reservoir | 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 |
| rock bass (redeye) | | 25 per day; in the aggregate with Roanoke bass No statewide length limits | 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 |
| | | | Nottoway, Meherrin, Blackwater (Franklin County), | 5 per day in the aggregate with Roanoke bass; no rock bass less than 8 inches |

| | | | | |
|--------------|---|--|--|--|
| | | | Falling, and Smith Rivers and their tributaries | |
| Roanoke bass | | 25 per day in the aggregate with rock bass No statewide length limits | Nottoway, Meherrin, Blackwater (Franklin County), 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 | 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 | No daily limit, except only 1 blue catfish per day longer than 32 inches |

| | | | | |
|--------------|---|--|---|----------------|
| | | | line, and York River and its tributaries (including the Pamunkey River and Mattaponi River) below the fall line | |
| | | | All rivers below the fall line other than the James River and its tributaries, Rappahannock River and its tributaries, and the York River and its tributaries | No daily limit |
| | yellow, brown, and black bullheads | No daily limit; No length limits | | |
| 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 | No possession | | |

| | | | | |
|------------------------------------|--|--|--|--|
| | Landing and Northwest Rivers, and their tributaries plus Back Bay | | | |
| red drum | Back Bay and tributaries including Lake Tecumseh and the North Landing River and its tributaries | 1 per day 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 | 1 per day No grey trout less than 12 inches | | |

| | | | | |
|--------------------|--|--|--|--|
| | River and its tributaries | | | |
| 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 | | 5 per day No statewide length limits | | |
| bowfin | | 5 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. | | | |

Statutory Authority

§§ [29.1-103](#), [29.1-501](#), and [29.1-502](#) of the Code of Virginia.

Historical Notes

Derived from [Volume 19, Issue 05](#), eff. January 1, 2003; amended, Virginia Register [Volume 22, Issue 19](#), eff. July 1, 2006; [Volume 24, Issue 10](#), eff. January 1, 2008; [Volume 27, Issue 10](#), eff. January 1, 2011; [Volume 29, Issue 09](#), eff. January 1, 2013; [Volume 31, Issue 09](#), eff. January 1, 2015; [Volume 33, Issue 10](#), eff. January 1, 2017; [Volume 35, Issue 02](#), eff. January 1, 2019.

Appendix B: Public Comments

4VAC15-320-25. Creel and Length Limits

There are 18 comments.

#1

Greg Rudolph

512 sunset view terrace SE

Leesburg, Virginia 20175

(540) 538-5053

Bassbean121@gmail.com

08-27-2020 17:35

Comments on positive aspects:

For the Shenandoah river creek sizes it wont make a difference. Look at other states where they have done the same. It doesnt equate.

Comments on negative aspects:

-

Other comments:

I feel the Shenandoah, main, north and south fork should be no harvest of any smallmouth bass. I have seen numerous times people catch, filet, and put them in their pockets when they are well below the creel size. The river is already impacted enough with floods, e coli, farms, and past pollution from the chemical plants. It is time to take a page out of Pennsylvania's book and close all harvest and also close the targeting of smallmouth during spawn. It is vital to the rebound of smallmouth in the Shenandoah river. Changing the creel limit size to 11 to 14 inches will do nothing. Especially for the people that dont follow the laws already. Our population can not sustain the targeting and harvesting of the smallmouth bass. This is not 30 years ago. There are more fisherman than ever and we need to do what's right for the environment.

#2

ZACHARY TALBERT

1006 sanford st.

radford, Virginia 24141

(540) 835-4443

Zachmtalbert@gmail.com

08-27-2020 17:50

Comments on positive aspects:

I think that more of these "slot" limits, and lower bag limits will really help our fisheries. The numbers of fish (smallmouth, walleye, perch, catfish, others) that i fish for have drastically gone down over the past 5 years or so. I want the New to return to its former glory as one of the best smallmouth fisheries on the east coast.

Comments on negative aspects:

I think that the keeping of "all spotted/ alabama" bass is a mistake. With all these "new" fishermen due to COVID-19, the #'s of largemouth that will be accidentally kept is gonna sky rocket. I think that the walleye changes on the New will hurt the #'s of fishermen more than the fish. Which doesnt bother me any... i love to see walleye come out of the river below the claytor dam but it is pretty rare!~!~

Other comments:

I think that for bigger catfish on the coastal rivers that a "5 over 20Lb" a year or something like that should go into effect... kinda have like a "hunting license tag" and you can only keep 5 over so big every calendar year. The smallmouth fishing in the New has also drastically fallen off the past 5 years. i remember catching 50-80 fish a day with a buddy often a decade ago, now its a good day of you land 20. i also used to catch 5+ citations a year and for the past few have been lucky to get one over 20". I just think the creel length and size limits need some adjusting since the # of fishermen have probably doubled or tripled since the COVID started.

#3

Gary Comer

761 back road

Shenandoah, Virginia 22849

(540) 860-2909

gandjpoultry@yahoo.com

08-30-2020 8:46

Comments on positive aspects:

I will comment on the changes to the Shenandoah river size and creek limit that myself as well as my bass club(the Shenandoah river bass anglers)which are 24 members,agree would be a positive change.

Comments on negative aspects:

I neither any of my members can see how this would be a negative for the river.

Other comments:

Why not move the size limit to 12 inch minimum.in waters where there is a 11-14 slot it seems most fish we catch during summer months are in that slot and we end up weighing fish under 11 inches more than over the 14.as far as the 14 to 20 slot it's the same,we have better weights since we can hold fish closer to the 14 inch limit but not being able to hold larger fish between 14 and 20 to weigh and release makes no sense.none of us in the Shenandoah river bass anglers can see any possible reason why a minimum size for the river would be a bad situation such as 12 inch minimum.i am the director of the club and if you have any questions we can help with on this please contact me (Gary comer at 540 860 2909)

#4

Jerry and Ethel Edwards

1436 Pine Mt Rd

Independence, Virginia 24348

(276) 233-1427

darleneedwards1436@gmail.com

09-02-2020 16:38

Comments on positive aspects:

We fully support the 2 fish limit and size on Walleye. We have pushed for this for two years. Thank You

Comments on negative aspects:

Other comments:

#5

Mike Ostrander

7239 Lookout Dr

Richmond, Virginia 23225

(804) 938-2350

Mike@DiscovertheJames.com

09-02-2020 19:52

Comments on positive aspects:

Every proposal make sense, and that is all an angler can ask of DWR. Thanks for making the regs flow and become more concise and easier to follow/understand.

Comments on negative aspects:

Other comments:

I'm most familiar with the Shenandoah fishery, blue catfish fishery & yellow perch fishery, and as an avid angler, thank you for streamlining these regs for all constituents.

#6

Andrew Holmaas

188 New Market Reservoir Road

New Market, Virginia 22844

(540) 327-0091

andrewholmaas47@gmail.com

09-03-2020 12:08

Comments on positive aspects:

I think it would be easier to enforce.

Comments on negative aspects:

Other comments:

I would like to see the slot limit of “no bass 14”to 20” and 1 bass over 20” per day on the entire system. This would insure good breeding stock and quality fishing.

#7

Andrew Holmaas

188 New Market Reservoir Road

New Market, Virginia 22844

(540) 327-0091

andrewholmaas47@gmail.com

09-04-2020 9:21

Comments on positive aspects:

Comments on negative aspects:

Other comments:

I would like to see a catch and release section for bass on the South Fork of the Shenandoah similar to the one in WV on the South Branch of the Potomac. Increasing the opportunities to catch a trophy fish would be an economic boom to the area surrounding the C&R section.

#8

James Roberts

297 Front Street

Warsaw, Virginia 22572

(804) 394-9852

Jimmyattheriver@gmail.com

09-04-2020 20:13

Comments on positive aspects:

Comments on negative aspects:

Other comments:

I have no comments on your proposal, I would like to comment on the number of people I see fishing on the Rappahannock, which is fewer each year. I'm 83 have lived on the Rappahannock 47 of those years. The concerns may come from over regulation or expense, not sure but families just don't fish like I remember years ago. Talking to a marina owner, he thought people are not going to get their boat and gear gas up and go try to catch one rock fish and only have the weekend off. I would like to see more family's fishing especially kids, if they never learn at a young age, probably never will. I know you guys have a tough job, but you got to look at the overall prospective. Thank you for serving. Jim

#9

Hunter Milgrim

218 meadowview lane

Max Meadows, Virginia 24360

(127) 662-0856

Hmilgrim09@gmail.com

09-13-2020 21:53

Comments on positive aspects:

By implementing the new proposed regulations will greatly help our walleye fishery. Look at West Virginia and their walleye fishery and regulations specifically around the Sandstone stretch. With their regulations they are catching numerous fish around the 14 to 15 pound mark. Stricter regulations in place is going to help our fishery produce more trophy sized fish for us to all enjoy catching in the future.

Comments on negative aspects:

There are no negative impacts of the new proposal

Other comments:

Stricter regulations means a better fishery. I personally spend hundreds of hours on the river every year and i see alot of people not respecting our trophy sized fish and practicing CPR like myself. Just because its a legal fish dont mean it should be kept. I would love to see our bigger fish be protected because they are being kept all the time and thats not good just because it is now currently legal

#10

Tony Quesenberry

601 South Main Street

Galax, Virginia 24333

(276) 236-3218

tqueseneberry@galaxva.com

09-14-2020 15:43

Comments on positive aspects:

I'm commenting on the proposed walleye slot limit. As someone who fishes 75% of the year for walleye I think the 19-28 with a 2 fish limit is a step in the right direction for protecting this special fishery we have. I as many others enjoy catching and releasing the large females in the winter/spring but also enjoy walleye meals which the smaller abundant fish provide. I would hope that this regulation could be extending to the upper new river above Buck Dam we have a decent fishery there that gets a lot of pressure and would benefit from the same regulation being applied along with increased future stockings which would may that section another great fishery as the lower river below Buck Dam. I had initially sent in a proposal of 2 fish under 19" and 1 could be over 20" which would achieve the same effect since 5 fish per day over 20" as the Regs are now creates a harvest rate that will deplete the larger fish over time.

Comments on negative aspects:

I don't think there is negative impacts from a fishery standpoint. But there might be some disagreement from local fisherman. I think all the guys who walleye fish a lot will be very supportative

Other comments:

Always ask the local fisherman who target certain species on what they are catching or not catching that information can be very valuable along with research

#11

Frank Filipy

7710 S Page Valley Rd.

Luray, Virginia 22835

(571) 247-1370

frank.filipy@gmail.com

09-15-2020 9:59

Comments on positive aspects:

Comments on negative aspects:

Other comments:

Dear VDWR, I am 62 years old and I have been fishing the South fork of the Shenandoah for 50 years plus. I have seen a lot in that time frame. Multiple major flood events, erosion of stream banks, worsening water quality, increased nutrient load, algal outbreaks and the fish kills in the last 14 years. The smallmouth bass fishery in the South Fork of The Shenandoah is a shadow of what it was in the three decades preceding the fish kills. It is important your agency takes appropriate measures to improve small bass recruitment. Measures must be taken to protect and promote the health of all smallmouth bass in the watershed, especially the reproductive class of smallmouth bass. I have reviewed the current smallmouth bass size limits for the North, South and Mainstem Shenandoah River. I am of the opinion that all smallmouth bass 14" and greater in the mentioned watershed be protected. Allowing one smallmouth bass over 20" to be creel is simply not necessary with the advent of synthetic fish mounts and fish replicas so there is no reason to creel "trophy smallmouth bass." Most importantly your agency should do all in it's power to improve water quality. I remind you of you Mission Statement which states in part: "Conserve and manage wildlife populations and habitat for the benefit of present and future generations." I am deeply thankful for the work your agency performs. Frank Filipy

#12

Brent Hunsinger

3219 Fall Hill Ave

Fredericksburg, Virginia 22401

(540) 373-3448

brent.hunsinger@riverfriends.org

09-30-2020 10:06

Comments on positive aspects:**Comments on negative aspects:****Other comments:**

My name is Brent Hunsinger. I am the State Policy Coordinator for Friends of the Rappahannock and am making comment on behalf of Friends of the Rappahannock. Friends of the Rappahannock (FOR), a watershed group whose mission is to be the voice and active force for a healthy and scenic Rappahannock River thanks you for the opportunity to comment on proposed regulation changes to the creel and length limits for yellow perch and blue catfish in the Rappahannock River. FOR supports the recommendation to implement a 9" minimum size on Yellow Perch below the fall line for all coastal rivers of the Chesapeake Bay. FOR opposes the recommendation to apply a no daily limit, except only one over 32" limit on Blue Catfish to the Rappahannock River and its tributaries, below the fall line. Blue Catfish are a highly invasive species. According to some studies VDGIF itself did in cooperation with VCU up to 75% of the total fish biomass or 75% of the total weight of all fish inhabiting the Rappahannock River was blue catfish. (Schloesser et al. 2011; VDGIF; VCU) The Chesapeake Bay Program says that as the blue catfish in the Bay grow larger primarily on fish and shellfish including shad, river herring, menhaden, and blue crabs. As the catfish in the Bay grow larger, they will consume more native Bay fish. Given the low populations of American shad and river herring in the Rappahannock and importance of the blue crab and striped bass fisheries to the local economy we believe that keeping the current regulation in place is the best course of action.

#13

Ed Goodson

1359 Old Baywood Road

Galax, Virginia 24333

(276) 233-8989

nosdoog12@gmail.com

10-07-2020 19:34

Comments on positive aspects:

Walleye proposed regulation change from Claytor upstream to Buck Dam, I agree with 100%.

Comments on negative aspects:

I and all of my friends totally disagree with the walleye proposal for above Buck Dam to Fries. It should be the same as below Buck Dam.

Other comments:

I grew up on the New River below Buck Dam and have been fishing it all my life (70 years). Some of the best walleye fishing was above Buck from the dam to Byllesby. My grandfather and my dad and uncles consistently caught walleye in the 10+ lb. range in that stretch of the river. Above Byllesby to Fries is, in my opinion, the best walleye water in the state. We would love to see more walleye stocked not only above Byllesby, but also below Byllesby. Please consider a better stocking program and changing the regulations to match the new proposal for below Buck. We appreciate the job you guys are doing.

#14

William Gallimore

560 bent nail rd.

Hillsville, Virginia 24343

(276) 733-8645

lgallimo@embarqmail.com

10-07-2020 20:02

Comments on positive aspects:

I am all for the new river walleye creel and size changes. There are more people fishing

the walleye every year which is great and everyone likes to catch a really good by protecting the bigger fish everyone will have a better chance of catching a nice one. Thanks to all of you that have worked hard to to establish a really great walleye fishery in the river and lake keep it up 👍👍

Comments on negative aspects:

I don't think there will be any

#15

Mike Ostrander

7239 Lookout Dr

Richmond, Virginia 23225

(804) 938-2350

Mike@DiscovertheJames.com

10-08-2020 16:45

Comments on positive aspects:

This is the only way to protect the recreational trophy blue catfish fishery that is left in the Rappahannock and it's tidal tributaries. I hope this management strategy will lead to a healthier trophy population while the management of blue catfish comes in a reduction the biomass of smaller sized blue cats that are the target size for consumption, both taste and health reasons. These are the fish in the 12" to 22" range.

Comments on negative aspects:

The further loss of trophy blue catfish will only hurt the recreational angling side. Additionally, blue catfish have heavy metal concentrations, hence the consumption warnings. These toxins are bioaccumulators, meaning, once in the fish, they don't leave, they only collect more and the concentrations become higher. I believe a lot of the larger fish being kept are through commercial anglers/watermen, and being sold for consumption. These fish are the ones that should absolutely not be eaten for health reasons, and be released for all the right recreational reasons.

Other comments:

Save what can be saved. The huge decline of the trophy blue catfish on the Rapp is well known among catfish anglers in many states. Having DWR protect a controversial specie,

like the blue catfish for the recreational side is, in my opinion, one of the strongest things you can do in your power. There is so much bad science on blue catfish, that people continue to use as 'headline' material on blue catfish, that your ability to manage will hopefully lead into more opportunities to educate the public on the real state of the blue catfish in the Commonwealths' tidal waters.

#16

Frank Hart

15509 Fox Gate Ct

Midlothian, Virginia 23112

(859) 808-0431

teach2hart@aol.com

10-08-2020 17:45

Comments on positive aspects:

As an avid angler I support expanding regulations for catfish to the Rappahannock river system. Same justification as used to support limits for James and York. I am strongly in favor of all actions that help support and preserve a trophy fishery.

Comments on negative aspects:

Other comments:

#17

Gerald Davis

4723 SQUAW VALLEY CT

GLEN ALLEN, Virginia 23060

(804) 967-9129

JDavis@dmme-engineering.com

10-10-2020 16:40

Comments on positive aspects:

I believe each of the proposed amendments are rational and worthy of approval.

Comments on negative aspects:

Other comments:

#18

Christopher Deane

7508 Prairie Rd

Richmond, Virginia 23225

(804) 366-3901

dinkydog70@gmail.com

10-11-2020 7:33

Comments on positive aspects:

I was a young man when Va put a moratorium on stripers. I didn't like it , hated it in fact. All these years later I quite happy that this happened. Those fish came back stronger than I can remember. Same thing will happen here with this proposal (with the exception of the Alabama bass).

Comments on negative aspects:

I'm concerned that no limits on Alabama bass makes it open season on keeping any bass at any length and claiming it was mistaken for Alabama bass. I have to point out the nefarious nature of many folks.

Other comments:

4VAC15-320-100. Department-Owned or Controlled Lakes, Ponds, Streams, Boat Access Sites, or Hatcheries.

There are 4 comments.

#1

Austin Ling

2212 Edwards Ave

Richmond, Virginia 23224

(757) 358-7110

08-27-2020 23:38

Comments on positive aspects:

Positive

Comments on negative aspects:

I don't see any negatives

Other comments:

This would be great

#2

Mike Ostrander

7239 Lookout Dr

Richmond, Virginia 23225

(804) 938-2350

Mike@DiscovertheJames.com

09-04-2020 17:15

Comments on positive aspects:

I think this is a great idea. Anytime you can inspire angling, it's a good thing, and including paddleboats, and offering kayak anglers tournament opportunities on department owned/controlled lakes is a perfect partnership. Thanks for creating these kind of opportunities. Good stuff.

Comments on negative aspects:

Other comments:

#3

David Morris

4 Hickory Hill Drive
Scottsville, Virginia 24590
(434) 286-2854

09-25-2020 1:05

Comments on positive aspects:

It is not a positive to charge additional fees to the citizens of the state of Virginia to use property and facilities that are owned NOT by VDWR (vdgif), but actually by the citizens of Virginia.

Comments on negative aspects:

It is a negative impact on Citizens by putting yet another fee on Citizens for using public facilities and will also cause some to not use the facilities due to the financial burden put on the individual.

Other comments:

#4

Billy Good

10127 Coopers Mountain Road

Dayton, Virginia 22821

(540) 867-5927

kpg6955@aol.com

10-04-2020 13:45

Comments on positive aspects:

I purchased my paddleboat to fish from and didn't understand the rational or reasoning behind the restrictions. The kayak was allowed but the paddleboat wasn't? When will this go into effect if the proposal is passed?

Comments on negative aspects:

I don't feel that there is a negative side to this proposal.

Other comments:

I would just like to thank your staff for following up on this subject. I have brought this up at the Verona office on several occasions and am happy to see that they do pay attention to what people think. I know that I'm not the only person that gave the same input on the matter and am thankful to them as well.

4VAC15-330-110. Special Provisions Applicable to Certain Portions of Green Cove Creek, Smith Creek, and Snake Creek and Whitetop Laurel Creek.

There are 4 comments.

#1

Ken Easwood

706 Milstead Lane

Manakin Sabot, Virginia 23103

(804) 240-2650

ken.eastwood@gmail.com

08-27-2020 23:17

Comments on positive aspects:

I support this and other changes proposed to fishing regulations.

Comments on negative aspects:

None

Other comments:

#2

Brian Strife

7521 Hill Drive

RICHMOND, Virginia 23225

(804) 647-4087

brstrife@gmail.com

09-02-2020 10:02

Comments on positive aspects:

As indicated, there are few fish >12" in these wild trout streams. I have been to all of these streams many times fishing catch and release. They receive considerable pressure from catch and release anglers as well as those fishing catch and kill. There are some many other streams and lakes that are not classic wild trout streams that can continue to provide harvestable trout. Why can't we develop a handful of wild trout streams by protecting these populations with catch and release regulations? Perhaps a few more wild trout will get big, live long lives and become giants, and pass on their genes to the next generation. Not to mention, the probably smaller impact of not harvesting these wild trout at all will improve the population somewhat. I am in full support of expanding catch and release only.

Comments on negative aspects:

There really are none. There are tremendous opportunities throughout the state for catch and kill. We need to be preserving/conserving our wild trout streams. They take care of themselves when left to be. We should be supporting the wild trout to ensure healthy reproducing populations -- then we don't have to stock them. It is an investment that can produce great returns.

Other comments:

I think DWR needs to strongly consider both the conservation and wildlife protection goals as well as the consumer. That can be a tough balance in some situations, but here it is not. We do not have the large wild trout rivers that exist out west with thousands of wild trout per mile. We have a number of high mountain creeks and smaller streams with wild trout, including our incredible native brook trout fisheries. Whitetop Laurel Creek in particular is one the crown jewels of our state -- it is incredibly beautiful; it is a rather large wild trout stream for Virginia; it does produce large wild trout. I hope that DWR seeks out a few additional creeks and rivers that can be sustaining wild trout streams and move to catch and release to support them fully. I also hope DWR continues the excellent stocking program and put and take fisheries, but perhaps focus less on stocking on top of wild fish.

#3

Andrew Holmaas

188 New Market Reservoir Road

New Market, Virginia 22844

(540) 327-0091

andrewholmaas47@gmail.com

09-03-2020 12:26

Comments on positive aspects:

I think it would make for a more quality fishing experience in these streams.

Comments on negative aspects:

Other comments:

I would like to see catch and release implemented in more streams in the Commonwealth.

#4

Christine Podracky

214 Little Tumbling Creek Road

Tannersville, Virginia 24377

(276) 880-5227

christine_podracky@hotmail.com

10-08-2020 6:56

Comments on positive aspects:

This is a good change to allow the trout population to rebound while still providing sport fishing opportunities.

Comments on negative aspects:

I do not see anything negative.

Other comments:

4VAC15-330-160. Special Provisions Applicable to Certain Portions of Accotink Creek, Back Creek, Big Moccasin Creek, Chestnut Creek, Hardware River, Holliday Creek, Holmes Run, Indian Creek, North River, Passage Creek, Peak Creek, Pedlar River, North Fork of Pound and Pound Rivers, Middle Fork of Powell River, and Roanoke River.

There are 5 comments.

#1

Richard Fore

5553 Black Oak Rd

Charlottesville, Virginia 22903

(434) 981-1737

rickfore@hotmail.com

08-30-2020 10:50

Comments on positive aspects:

Regarding adding a delayed harvest opportunity along the Piney River from Rt 151 to Rose Mill, I say BRAVO! It's a beautiful, mostly shady section and the stream seems perfect for holding trout. It also has the potential to increase revenues for establishments in the town of Piney River.

Comments on negative aspects:

I worry about overuse of the trail, the damage to the stream banks, and trash accumulation. Enforcement of the delayed harvest regulations will require an increased law enforcement presence (increased funding?).

Other comments:

With the easily accessible trail and excellent stream conditions, why not extend it to it's confluence with the Tye River?

#2

Stephen Gibson

409 Yount Ave.

Staunton, Virginia 24401

(540) 294-0354

aspenglow@rocketmail.com

09-15-2020 17:23

Comments on positive aspects:

I think creating a new "Delayed Harvest" Special Regulation Trout water on the Piney at the Rose Mill area along the Blue Ridge Railroad Trail is a very good idea. Even though I live 60 miles away, I would drive to fish this stretch, provided it is NOT poached to death and mostly void of trout.

Comments on negative aspects:

The only negative is poachers that would ruin trout fishing this water.

Other comments:

I drove to this water and was impressed at what I saw. Yes, new Delayed Harvest Special regulation trout water...the sooner the better, like this fall.

#3

Cathy Hanks

1825 Ellett Road

Christiansburg, Virginia 24073

(540) 230-3853

chanks20@aol.com

09-25-2020 8:53

Comments on positive aspects:

I submit these comments in support of the proposed change to 4VAC15-330-160. Fish: Trout Fishing. Special Provisions Applicable to Certain Portions of Peak Creek on behalf of Friends of Peak Creek, Inc. (FOPC). FOPC is a 501c3 organization located in Pulaski, VA dedicated to the protection and improvement of the Peak Creek Watershed. We fully support removing the Delayed Harvest regulation on Peak Creek in Downtown Pulaski and adding it to the Catchable Trout Program. This move will enhance the sport of trout fishing by allowing an increased number of stockings throughout the year and add to the economic and recreational value of Peak Creek by encouraging tourism activities. It will allow the boundaries to be moved and thereby discourage anglers from fishing in a particularly unsafe area of the Creek. Lastly it will aid FOPC in our mission of encouraging environmentally friendly and active use of Peak Creek by visitors and the surrounding community.

Comments on negative aspects:

We do not feel there will be any negative impacts.

Other comments:

Friends of Peak Creek appreciate your ongoing efforts to protect and enhance the waterways of Virginia especially during this trying year.

#4

Laura Walters

6718 Dunkard Rd

Dublin, Virginia 24084

(540) 230-6272

CLAYTORLAKEGIRL@GMAIL.COM

09-25-2020 17:19

Comments on positive aspects:

Commenting for New River Conservancy. NRC supports this proposal for removing the restrictions from Peak Creek , thus changing it to a put and take stream. This will enable further angling for citizens and encourage individuals to fish and take interest in the creek which will help the area economically through tourism and help citizens.

Comments on negative aspects:

I see no negatives on the proposal. Certain areas around the walls can be designated to encourage fishing in safe areas.

Other comments:

This change will be a benefit to Pulaski enabling residents to keep catches. More interest in the Creek can lead to improved waters and habitat. New River Conservancy supports this change.

#5

Steve Rapp

1804 East Main Street

Radford, Virginia 24141

(540) 320-0871

steverapp@yahoo.com

10-02-2020 17:39

Comments on positive aspects:

2 Oct 20 MEMORANDUM FOR: The Board of the Virginia Department of Wildlife Resources (DWR) FROM: Friends of Claytor Lake (FOCL) SUBJECT: Public Comment Period for Peak Creek Trout Designation On behalf of the Friends of Claytor Lake (FOCL), I am writing to show our support for the proposal to change Peak Creek from a “delayed harvest” designation to a “regular put and take.” I believe this change will be good for all involved. I would like to thank you for allowing us to give our input in this matter. Sincerely, Steve Steve Rapp, President Friends of Claytor Lake (FOCL)

Comments on negative aspects:

N/A

Other comments:

4VAC15-340-60. Seines, Traps, and Nets Prohibited in Certain Areas.

#1

Christine Podracky

214 Little Tumbling Creek Road

Tannersville, Virginia 24377

(276) 880-5227

christine_podracky@hotmail.com

10-08-2020 6:59

Comments on positive aspects:

This is a good proposal since this fish is endangered.

Comments on negative aspects:

No negative impacts.

Other comments:

4VAC15-350-20. Gigs, Grab Hooks, Etc.; Certain Counties East of the Blue Ridge Mountains.

Michael O'Neill

5854 Wescott Hills Way

Alexandria, Virginia 22315

(571) 365-8474

Perchorin@gmail.com

08-27-2020 14:15

Comments on positive aspects:

The Northern Snakehead is a damaging and invasive species that must be controlled. Fishing gear is expensive. I want to help and this amendment would lower the financial bar of entry for me and my family to do our part.

Comments on negative aspects:

N/A

Other comments:

Thanks to Senator Surovell for his pro action on this issue.

CCA VA

Coastal Conservation Association Virginia

Dedicated to the Conservation and Preservation of Virginia's Coastal Marine Environments

NoVA
Chapter
Officers

Rob Allen
President

Dave Gedra
Vice
President

Luther Penny
Treasurer

George
Lenard
Secretary

September 15, 2020

Virginia Department of Wildlife Resources
Attn: Fisheries
P.O. Box 9077
Henrico VA 23228-0778

Subj: Board of the Virginia Department of Wildlife Resources request for public comments on proposed regulation changes related to angling for yellow perch

The Northern Virginia Chapter, Coastal Conservation Association, on behalf of its members, is writing to encourage Board approval of the proposed establishment of a 9-inch minimum size for yellow perch in tributaries of the Chesapeake Bay. This regulation is urgently needed as discussed below.

A number of our members recreationally fish for yellow perch. Our collective observation is that the yellow perch population in Virginia tributaries collapsed after 2011 following intense commercial fishing pressure and poor environmental conditions that adversely impacted the yellow perch spawn. In 2011, commercial nets in the Occoquan River stretched from the Prince William Marina to the Route 123 Bridge. The nets were hauled full of yellow perch that were observed being dumped into a pickup truck. That year, major flooding of the Potomac and Occoquan Rivers during the yellow perch spawning cycle appears to have adversely impacted the spawn. This along with insufficient escapement of yellow perch from commercial harvesting we believe severely impacted the biomass needed to sustain a healthy yellow perch population.

Since 2011, there have been few yellow perch based on member observations and inquiries to other recreational fisherman. The Department of Game and Inland Fisheries performed a Catch Per Unit Effort (CPUE) study on the Occoquan River and found a meager CPUE. Fish were small and few.

Establishing a 9-inch minimum size would parallel the 9-inch yellow perch minimum required by Maryland and the Potomac River Fisheries Commission. A consistent approach for the Potomac River and tributaries is necessary to rebuild the biomass of the yellow perch species. Our Chapter recommends that the Board accept the proposed minimum length regulation. We also believe that it would be prudent to assess the need for a modest creel limit to facilitate rebuilding the yellow perch biomass.

Sincerely,

Rob Allen

President, CCA Northern VA Chapter

Coastal Conservation Northern Virginia
2356 Tumbletree Way, Reston VA 20191
703-626-2668 - robgallen10@gmail.com
<http://www.ccvirginia.com>

September 16th, 2020

Virginia Dept. of Wildlife + Resources
P.O. Box 90778
Henrico, VA 23228-0778

Board,

I am opposed to White Top Laurel creek and Green Cove Creek, in Washington Co., Virginia becoming catch and release trout streams. At least 4 generations of my family have fished these streams to harvest trout to eat. It would be extremely unfair to place a total ban on fish harvest from these two streams, especially for the people who live in Green Cove, White Top, Konmarock, Damascus, Taylor's Valley, and surrounding areas.

These streams are healthy and accessible by people of all ages and abilities and these people should have a choice as to release their catch, or harvest it. These streams being only a few feet from the Virginia Creeper Trail, has provided quality fishing for Scout groups, veterans, and people with disabilities.

Portion related to firearms left out.

Sincerely,

Christopher R. Humphres
Cody Stephens
Jeffery J. Gardner
Marty L. Brown
David A. Wampler
David Smith
James Frank
Cory
Matthew Cleary

2



Virginia Department of Wildlife Resource
Attn: Fisheries
P.O. Box 90778
Henrico, VA 23228-0778

The Town of Pulaski has reviewed the proposed regulation changes posted 9-27-20 with particular attention to the changes proposed to grant regulations and wishes to join The Friends of Peak Creek and others in support of the change for Peak Creek in Pulaski County.

Thank you for the opportunity to comment.



Darlene Burcham Interim Town Manager

TO: VDWR

FROM: Frank Filipy

RE: 4VAC15-320-25. Fishing Genrally. Creel & Length Limits.

9-15-20

Dear VDWR:

I am 62 years old and I have been fishing the South Fork of the Shenandoah River for 50 plus years. I have seen a lot in that time frame. Multiple major flood events, stream bank erosion, worsening water quality, increased nutrient load, algal outbreaks and the fish kills in the last 14 years. The smallmouth bass fishery in the South Fork of the Shenandoah is a shadow of what it was in the three decades preceding the fish kills.

It is important your agency takes appropriate measures to improve smallmouth bass recruitment. Measures must be taken to protect and promote the health of all smallmouth bass in the watershed, especially the reproductive class of smallmouth bass. I have reviewed the current smallmouth bass size limits for the North, South, and Mainstem Shenandoah River. I am of the opinion that all smallmouth bass 14" and greater in the mentioned watershed be protected. Allowing one smallmouth bass over 20" to be creeled is simply not necessary with the advent of synthetic fish mounts and fish replicas there is no reason to creel "trophy smallmouth bass."

Most importantly your agency should do all in it's power to improve water quality. I remind you of your Mission Statement which states in part

- *Conserve and manage wildlife populations and **habitat** for the benefit of present and future generations.*

I am deeply thankful for the work your agency performs.

Sincerely



Frank Filipy

7719 S Page Valley Rd.

Luray VA 22835

571 247-1370

Frank.filipy@gmail.com

2021-22 WILDLIFE REGULATIONS: SUGGESTED SCHEDULE



CONSERVE. CONNECT. PROTECT.

2021-22 Wildlife Regulation Milestones

| | |
|----------------------------|--|
| Oct - Dec 2020 | Public Scoping Period |
| Oct 22, 2020 | DWR Board Meeting |
| Jan 2021 | DWR Board Meeting |
| Dec 2020 - Feb 2021 | Committee Recommendation Development Period |
| Mar 2021 | DWR Board and Committee Meetings: Proposal-stage Recommendation |
| Mar - May 2021 | Regulation Amendment Proposal Public Comment Period |
| May 2021 | DWR Board and Committee Meetings: Final Recommendations |
| August 1, 2021 | Effective date for regulation amendments adopted by the Board |



Suggested Board Meeting Dates

Key Meeting Topics

Oct 22, 2020 Aquatics Regulations - Final Action

**Jan 21, 2021 2021-22 Migratory Game Bird Seasons and Bag Limits - Proposal Stage
2021-22 Hunting and Trapping Regulations - Significant Issues Review**

**Mar 18, 2021 2021-22 Migratory Game Bird Seasons and Bag Limits - Final Action
2021-22 Hunting and Trapping Regulations - Proposal Stage**

May 27, 2021 2021-22 Hunting and Trapping Regulations - Final Action



BOATING ACCESS FEES ON DWR LANDS

PROPOSED REGULATION
Committee Recommendation



CONSERVE. CONNECT. PROTECT.

Boating Access Fees on DWR Lands

4VAC15-20-66. Admittance, Parking, or Other Use Fee at Certain Department-Owned and Department-Managed Facilities.

Summary

The recommendation is to amend the regulation to i) include department-managed facilities, ii) add boat launch sites to the list of facilities where the department charges a fee, and iii) exempt certain persons who are a passenger on the vessel rather than the vessel's owner or operator from such a fee.



Boating Access Fees on DWR Lands

Recommended language:

4VAC15-20-66. Admittance, Parking, or Other Use Fee at Certain Department-Owned and
Department-managed Facilities.

A.a daily fee of \$3.00 or an annual fee equal to the price of an annual basic state resident fishing or hunting license is established for admittance, parking, or other use at department-owned ~~wildlife management area~~ or department-managed lands, boat launch sites, and public fishing lakes. Such fee shall not apply to (i) any person holding a valid hunting, trapping, or fishing license, or a current certificate of boat registration issued by the department; (ii) persons 16 years of age or younger; or (iii) ~~the use of department-owned boat ramps~~ any person who is a passenger in but not the owner or operator of a paddlecraft or registered vessel.



Boating Access Fees on DWR Lands

Rationale:

These amendments align the regulation with recent legislation changes expanding the types of facilities where the department charges a fee and requiring an access permit or equivalent on boat launch sites.



Public Comments

10 Comments to date:

2 negative

I think this proposal makes no sense ... we need our boat ramps to remain open at no fee for canoes, kayaks , tubers.

This proposal would cause financial hardships for people trying to enjoy non motorized river activities that should otherwise be free.

If fees are to be imposed it should be for motorized watercraft only as there is little to no environmental impact from self propelled watercraft to justify a charge for use.



Public Comments

10 Comments to date:

8 positive

It will help provide needed funds to maintain these areas

I agree with adding the fee. It's appropriate for those who use the waterway public accesses

I don't see any negative impacts. As an angler the current status is unfair.

I feel it is all Virginia boaters' responsibility to support and help maintain public boat access sites



Questions?



Motion

I move that the Board of Wildlife Resources approve proposed amendments to 4VAC15-20-66 regarding the expansion of facilities types where the department may charge a fee as presented.



CAMPING ON DWR LANDS

PROPOSED NEW REGULATION
Committee Recommendation



CONSERVE. CONNECT. PROTECT.

Camping on DWR Lands

4VAC15-20-155. (New) Camping on Wildlife Management Areas (WMAs) and other DWR-owned or managed lands.

Overall Summary

- **Establishes base rules and expectations for appropriate use of DWR lands for overnight camping opportunities.**
- **Camping has not been regulated in the past but continued pressure on the resource and sometimes misuse of our lands has led staff to request a regulation be considered.**



Camping on DWR Lands

4VAC15-20-155. (New) Camping on Wildlife Management Areas (WMAs) and other DWR-owned or managed lands.

Summary

- A. Authorization – requires Camping Authorization Form
- available through GoOutdoorsVirginia.com**
- B. Camping Periods - only 14 nights within a 28 day period**
- C. Locations – away from facilities
- no clearing of vegetation**



Camping on DWR Lands

4VAC15-20-155. (New) Camping on Wildlife Management Areas (WMAs) and other DWR-owned or managed lands.

Summary

D. Removal of Personal property – clean up after yourself

E. Food security – don't create a wildlife problem



Public Comments

9 comments to date:

All positive

This will keep people from over staying and I feel this is a good idea.

Knowing that a registration process is required will help to ensure the safety of all users of department owned lands.

I think the changes are a positive step for safety of campers

Anytime you can offer more outdoor recreational opportunities, such as camping, I believe Virginia DWR is thinking and acting the way they should. This is a good thing.



Questions?



Motion

I move that the Board of Wildlife Resources approve the new regulation proposed as 4VAC15-20-155 Camping on Wildlife Management Areas (WMAs) and other DWR-owned or managed lands as presented.



Aquatic Wildlife 2021 Final Action

Mike Bednarski, Chief, Aquatic
Wildlife Resources Division



CONSERVE. CONNECT. PROTECT.

Regulatory Cycle – Aquatic Wildlife - 2021

Dec 2019 – Feb 2020 -- public issues Scoping period -- forms on web – staff makes contact with constituent groups or individuals, assess concerns or ideas for changes, utilizing format on input form.

Feb-March - Aquatic committees meet

March 18th, 2020 – Wildlife Boat and LE committee mtg. - preliminary review of issues

March 19th, 2020 - Board meeting – preliminary review of issues identified by staff

April-May – Aquatic staff core group meets to finalize staff recommendations, finalize staff recommendations with AG review

August 20th, 2020 - Board Meeting – Staff recommendations presented, Board proposals created

45 Day public comment period on Board proposals

October 22nd - Board Meeting – Staff presents final recommendations for final board approval

Jan 1 2021 – Regulations go into effect

Digest out early spring



Regulatory Cycle – Aquatic Wildlife - 2021

Dec 2019 – Feb 2020 -- public issues Scoping period -- forms on web – staff makes contact with constituent groups or individuals, assess concerns or ideas for changes, utilizing format on input form.

Feb-March - Aquatic committees meet

March 18th, 2020 – Wildlife Boat and LE committee mtg. - preliminary review of issues

March 19th, 2020 - Board meeting – preliminary review of issues identified by staff

April-May – Aquatic staff core group meets to finalize staff recommendations, finalize staff recommendations with AG review

August 20th, 2020 - Board Meeting – Staff recommendations presented, Board proposals created

45 Day public comment period on Board proposals

October 22nd - Board Meeting – Staff presents final recommendations for final board approval

Jan 1 2021 – Regulations go into effect

Digest out early spring



4 VAC 15-20-50 Definitions; "Wild Animal," "Native Animal," "Naturalized Animal," "Nonnative (Exotic) Animal," and "Domestic Animal."

The recommendation is to: Update the native and naturalized list to reflect new species occurrences and taxonomic changes.

Updates: None

Comments Received: None



4VAC15-30-40. Importation Requirements, Possession and Sale of Nonnative (Exotic) Animals.

The recommendation is to: Add Alabama bass to the predatory and undesirable species list. Add an exception to allow live possession and release only on the body of water from which they were captured.

Updates: None

Comments: None



4VAC15-30-40. Importation Requirements, Possession and Sale of Nonnative (Exotic) Animals.

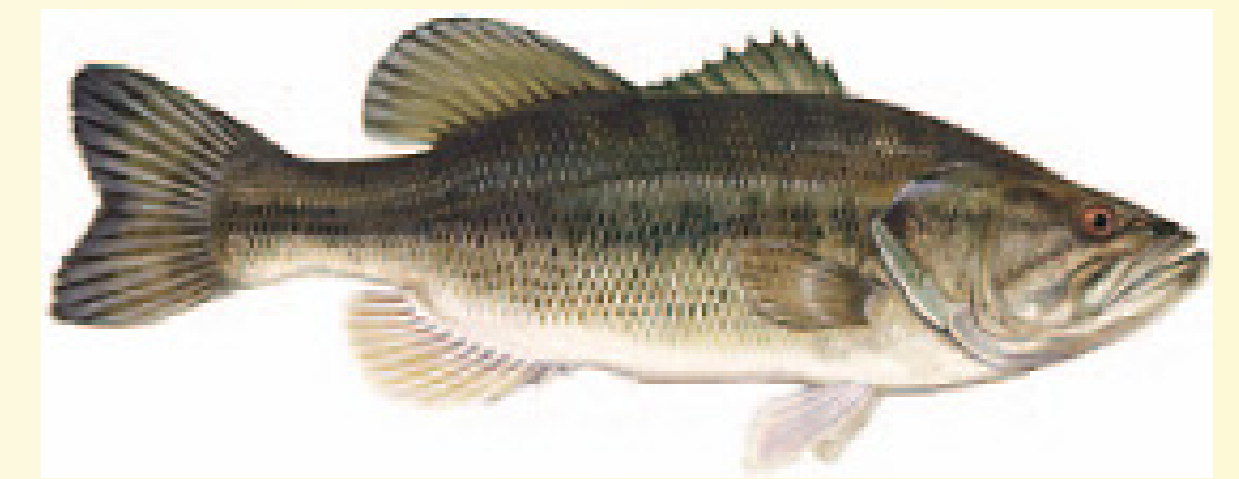
The recommendation is to: Clarify language relating to the harvest of grass carp.

Updates: None

Comments: None



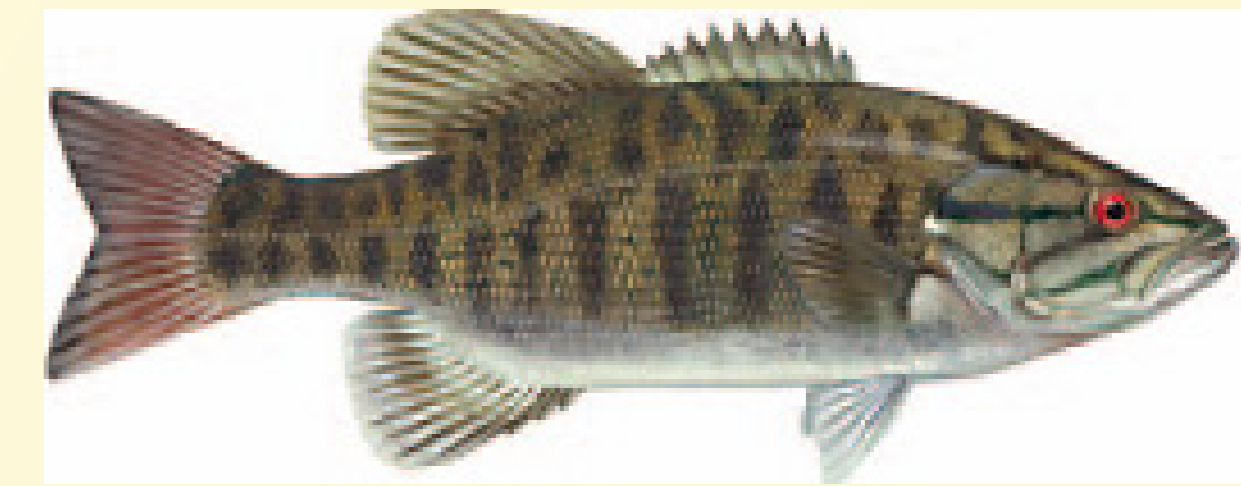
4VAC15-320-25. Creel and Length Limits



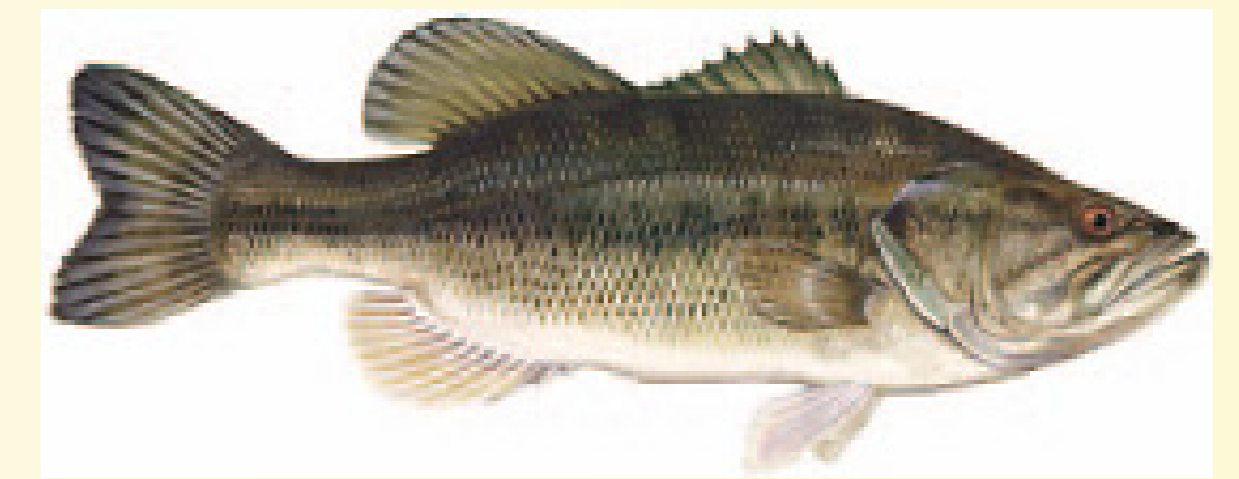
The recommendation is to: add protections for smallmouth bass on Flannagan Reservoir (15” minimum), liberalize regulations on spotted bass and Alabama bass (eliminate size/bag limits), simplify regulations on the Shenandoah River (consistency among three previous sections)

Updates: Table – Language differentiating largemouth and smallmouth bass

Comments: 2 comments about Alabamas, worried about unintentional harvest of other bass



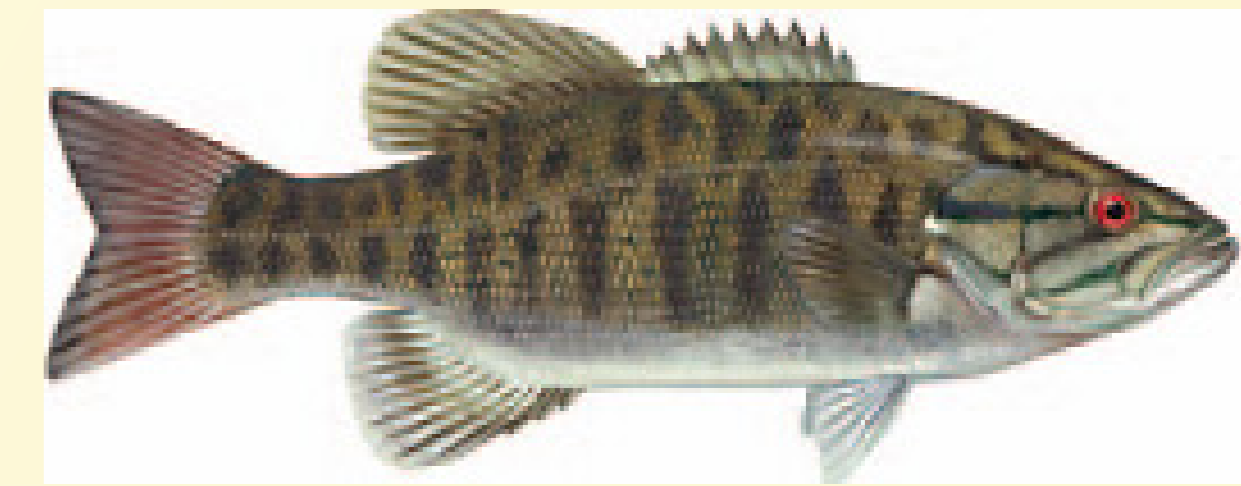
4VAC15-320-25. Creel and Length Limits



The recommendation is to: add protections for smallmouth bass on Flannagan Reservoir (15” minimum), liberalize regulations on spotted bass and Alabama bass (eliminate size/bag limits), simplify regulations on the Shenandoah River (consistency among three previous sections)

Updates: Table – Language differentiating largemouth and smallmouth bass

Comments: 7 comments on Shenandoah, generally supportive, most don’t feel its enough protection



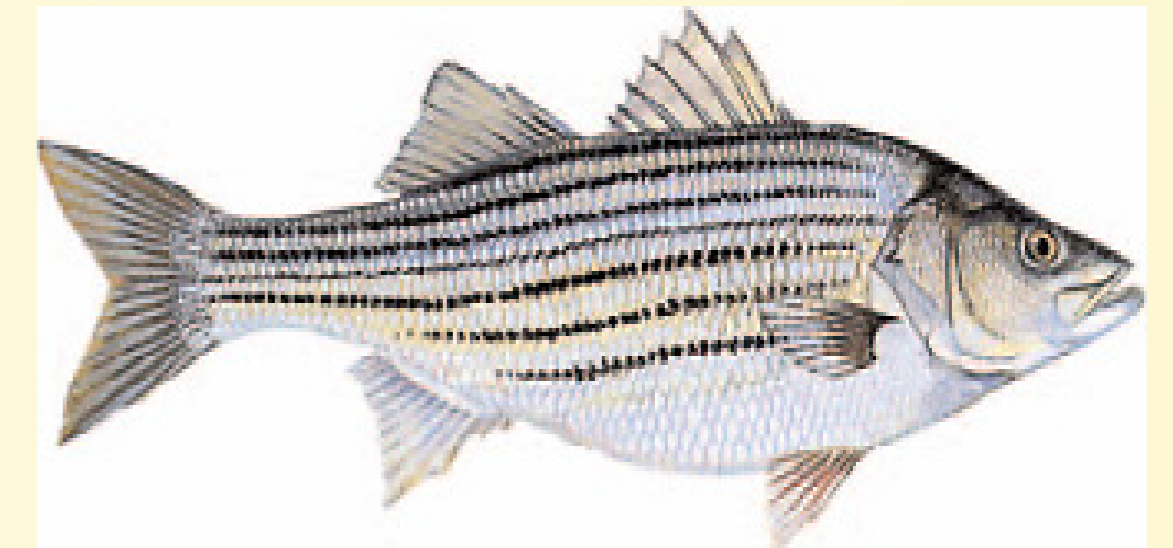
4VAC15-320-25. Creel and Length Limits

The recommendation is to: add protections for white bass in Lake Gaston (10/day, 14" minimum)

Rationale: Protections on white bass to foster recovery, align with North Carolina

Updates: None

Comments: None



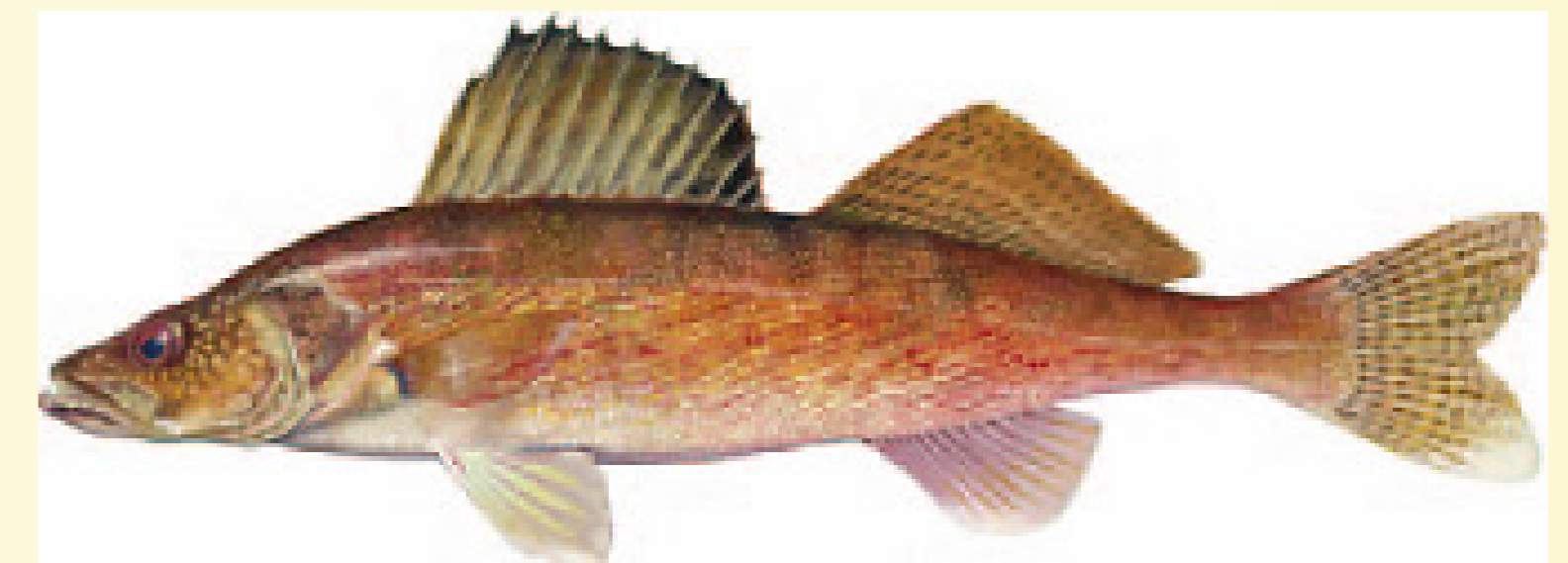
4VAC15-320-25. Creel and Length Limits

The recommendation is to: Implement slot limit for New River from Claytor Lake dam upstream to Buck Dam in Carrol County for walleye (2/day, 19-28” protected slot). Change regulations for Buck Dam upstream to reflect statewide regulations.

Rationale: Enhance current stock of walleye while simplifying regulations

Updates: None

Comments: 5, all supportive of slot, some concerned about relaxing regs above Buck Dam



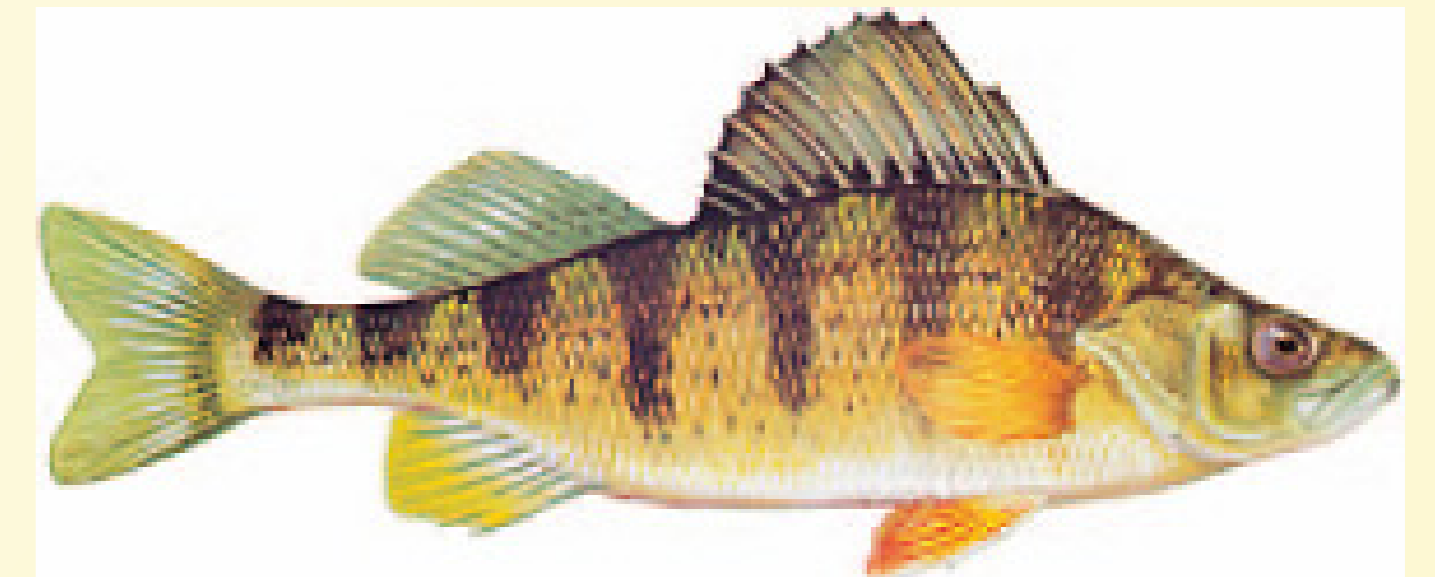
4VAC15-320-25. Creel and Length Limits

The recommendation is to: Implement minimum size for yellow perch (9”) below the fall line for all coastal rivers of the Chesapeake Bay

Rationale: Enhance existing stocks of yellow perch in coastal rivers

Updates: None

Comments: 1 in support



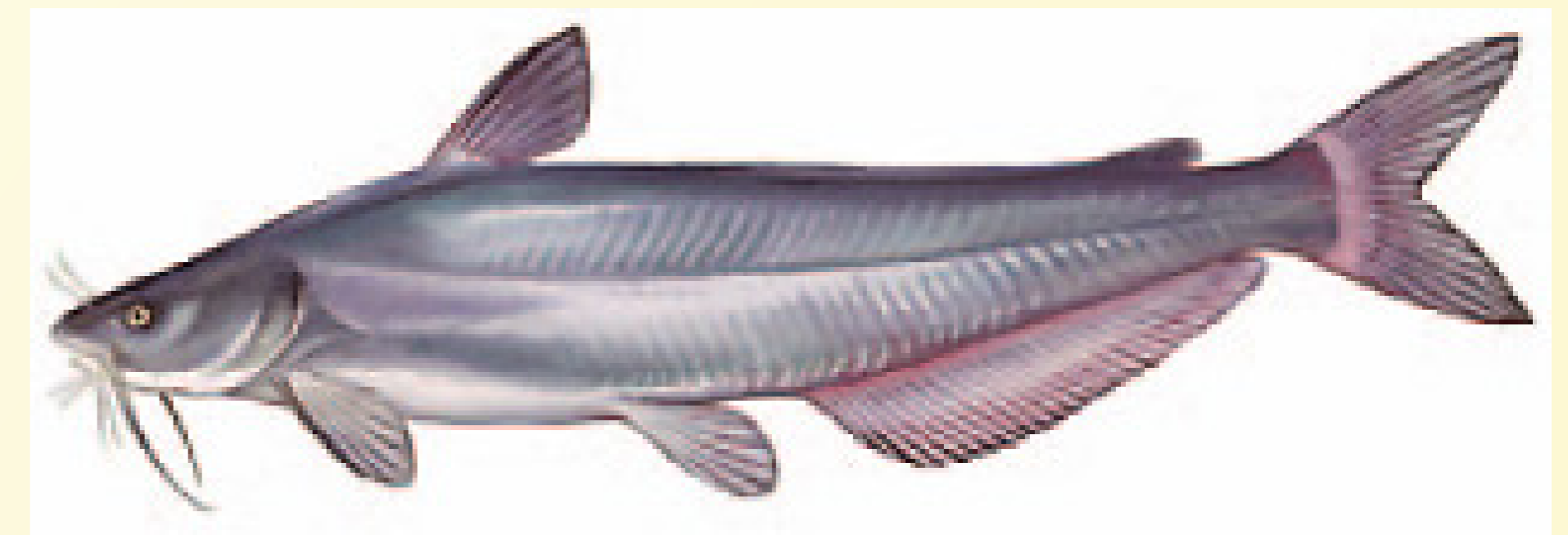
4VAC15-320-25. Creel and Length Limits

The recommendation is to: Expand James and York River blue catfish regulations to the Rappahannock River

Rationale: Maintain the trophy fishery present in the Rappahannock River, limit consumption of large catfish which may contain high levels of contaminants.

Updates: None

Comments: 1 opposed, 2 in support



4VAC15-320-60. Approval Required to Stock Fish into Inland Waters.

The recommendation is to: make it unlawful to stock spotted bass.

Rationale: Spotted bass are nearly identical in appearance to invasive Alabama bass. Making it unlawful to stock spotted bass reduces the risk of unintentionally stocking Alabama bass.

Updates: None

Comments: None



Spotted Bass



Alabama Bass



4VAC15-320-100. Department-Owned or Controlled Lakes, Ponds, Streams, Boat Access Sites, or Hatcheries.

The recommendation is to: modify existing regulations on department-owned lakes and ponds to allow paddleboats and to allow contests for prizes (with restrictions that require a permit and restrict to catch-photo-release).

Rationale: Some anglers fish from paddleboats, and there is little reason to restrict said vessels. Allowing catch-photo-release contests on department-owned lakes and ponds will increase usage and provide additional recreational opportunity for small boats and paddlecraft.

Updates: None

Comments: 4 in support



4 VAC 15-330-110. Special Provisions Applicable to Certain Portions of Green Cove Creek, Smith Creek, and Snake Creek and Whitetop Laurel Creek.

The recommendation is to: move portions of Green Cove Creek, Smith Creek, and Snake Creek and Whitetop Laurel Creek to catch and release.

Rationale: This change would streamline regulations and better reflect the productivity of these systems. The current 12” minimum effectively functions as a catch and release requirement.

Updates: None

Comments: 4 in support, 1 opposed



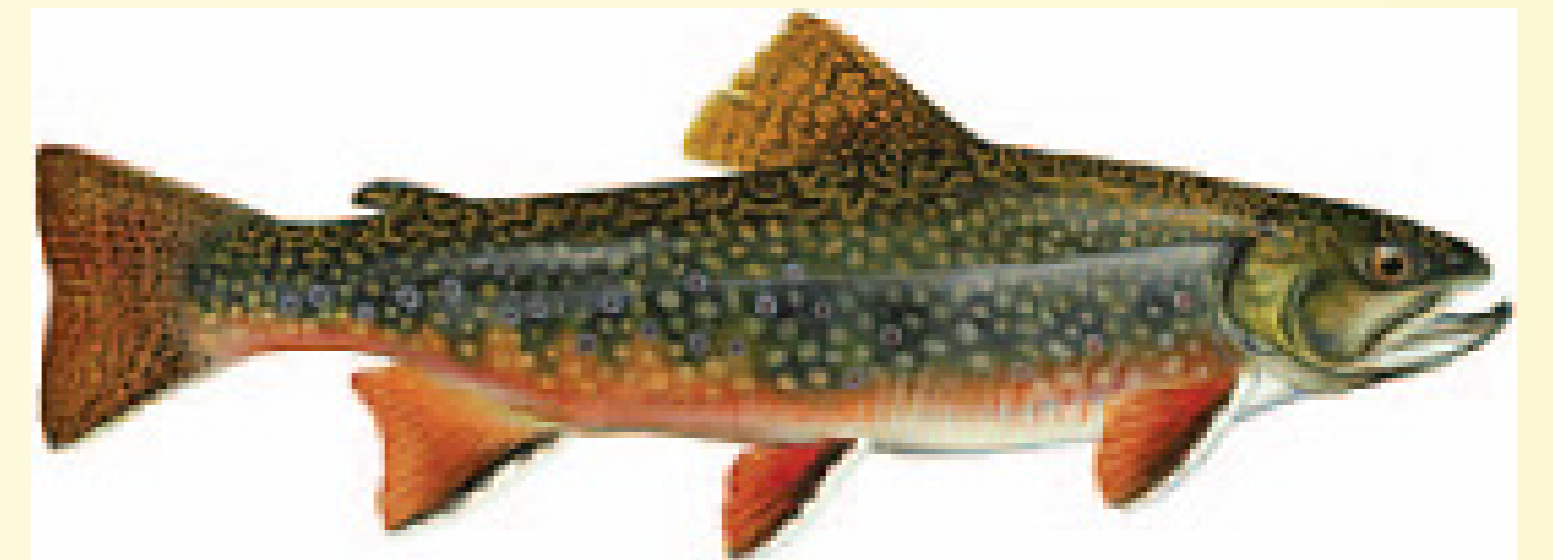
4 VAC 15-330-150. Special Provision Applicable to Trout Fishing Using Artificial Lures with Single Hook.

The recommendation is to: Add portions of Green Cove Creek, Smith Creek, Snake Creek, and Whitetop Laurel Creek to artificial, single hook, catch and release regulation.

Rationale: This change would streamline regulations and better reflect the productivity of these systems. The current 12” minimum effectively functions as a catch and release requirement.

Updates: None

Comments: None



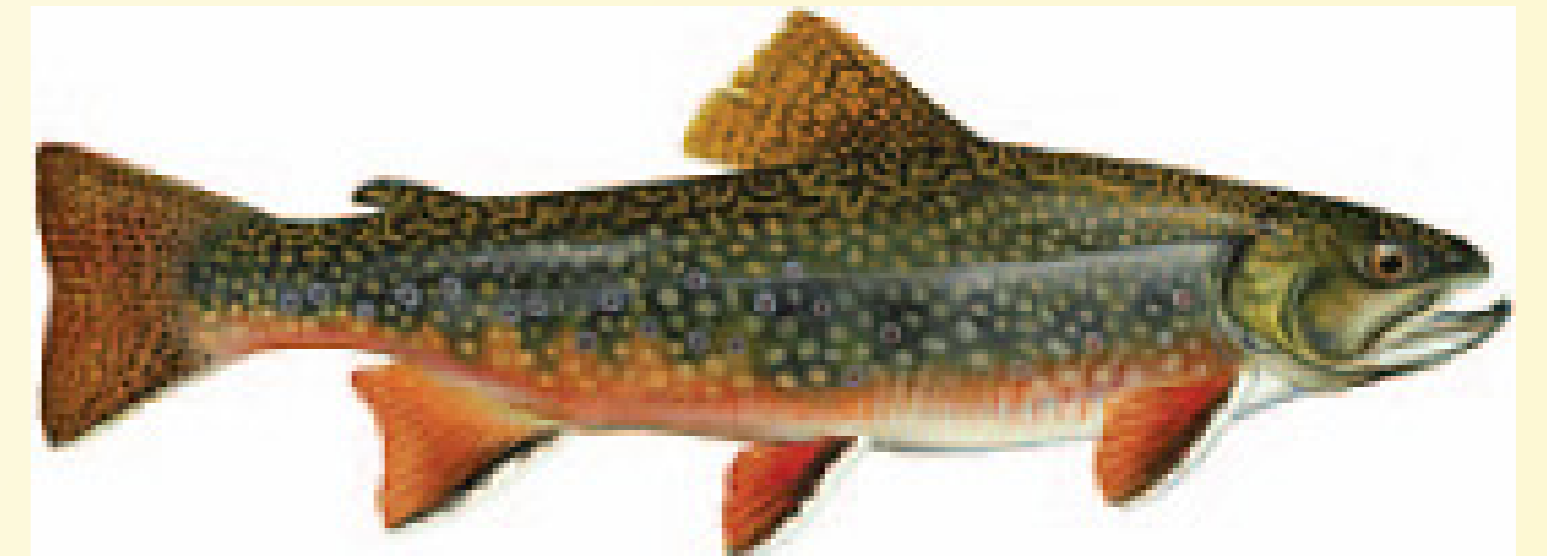
4 V A C 1 5 - 3 3 0 - 1 6 0 . Special Provisions Applicable to Certain Portions of Accotink Creek, Back Creek, Big Moccasin Creek, Chestnut Creek, Hardware River, Holliday Creek, Holmes Run, Indian Creek, North River, Passage Creek, Peak Creek, Pedlar River, North Fork of Pound and Pound Rivers, Middle Fork of Powell River, and Roanoke River.

The recommendation is to: Add Hardy Creek and Piney River as delayed harvest opportunities. Remove Peak Creek and Hardware River from delayed harvest list.

Rationale: Create additional recreational opportunity in Hardy Creek and Piney River, allow additional harvest in Peak Creek, and reallocate fish from Hardware River, which is underutilized.

Updates: None

Comments: 6 in favor, 1 concerned about Hardware River



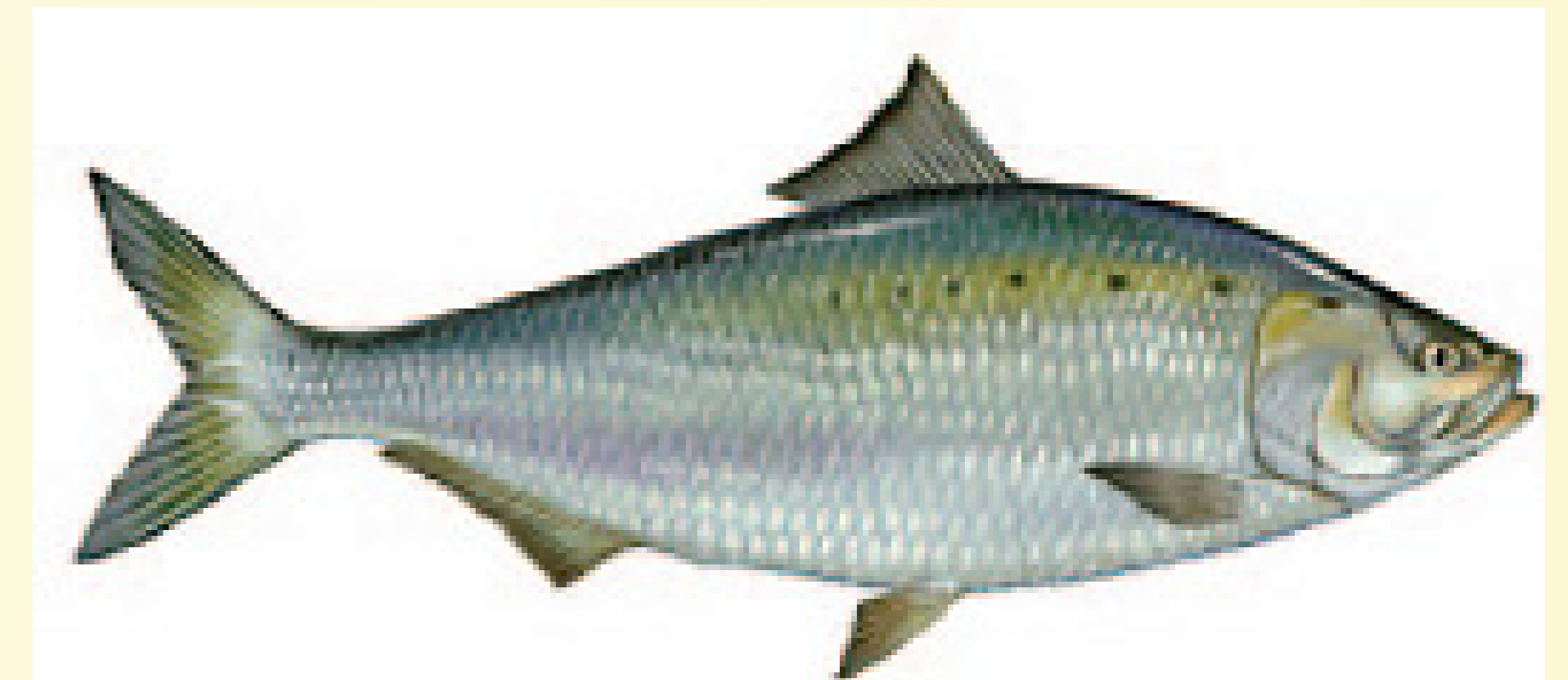
4VAC15-340-10. Haul Seines to Take Fish for Sale.

The recommendation is to: remove American shad from the list of species allowed to be taken for sale with haul seines in Virginia Beach City

Rationale: Harvest of American shad is not allowed under VMRC regulations because of the poor status of the stock. This will bring this regulation into alignment.

Updates: None

Comments: None



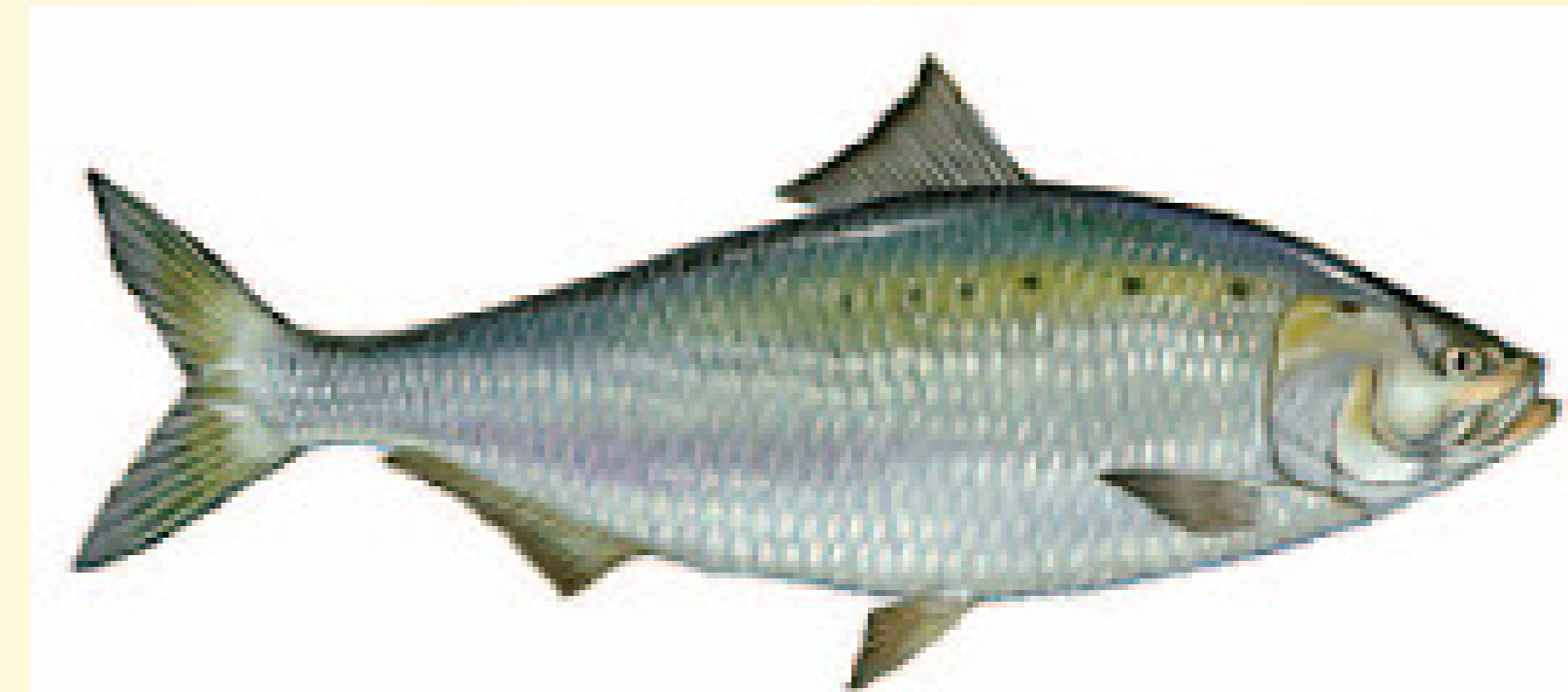
4VAC15-340-30. Gill Nets

The recommendation is to: remove American shad from the list of species allowed to be taken for sale with gill nets in Virginia Beach City

Rationale: Harvest of American shad is not allowed under VMRC regulations because of the poor status of the stock. This will bring this regulation into alignment.

Updates: None

Comments: 1 in favor



4VAC15-340-60. Seines, Traps, and Nets Prohibited in Certain Areas.

The recommendation is to: disallow the use of seines, nets, and traps in tributaries of Hungry Mother Lake because of the potential to capture state endangered Tennessee Dace

Rationale: Tennessee Dace are found in these tributaries and are currently not protected. The proposed regulation will provide protections.

Updates: None

Comments: None



4VAC15-350-20. Gigs, Grab Hooks, Etc.; Certain Counties East of the Blue Ridge Mountains.

The recommendation is to: allow the use of gigs to harvest northern snakehead in the tributaries of the Potomac River as well as portions of the Rappahannock River below the fall line.

Rationale: Interest in gigging invasive northern snakehead will provide additional harvest pressure.

Updates: None

Comments: 1 in support



4VAC15-350-70. Taking of Fish with Bow and Arrow or Crossbow.

The recommendation is to: Clarify language relating to the harvest of grass carp.

Rationale: Current regulation is unclear, and may allow harvest of grass carp where it was not intended. Modification specifies that grass carp cannot be harvested from public inland lakes or reservoirs, where they would be intentionally stocked.

Updates: None

Comments: None



4VAC15-360-10. Taking Aquatic Invertebrates, Amphibians, Reptiles, and Nongame Fish for Private Use.

The recommendation is to: Clarify language relating to the harvest of grass carp.

Rationale: Current regulation is unclear, and may allow harvest of grass carp where it was not intended. Modification specifies that grass carp cannot be harvested from public inland lakes or reservoirs, where they would be intentionally stocked.

Updates: None

Comments: None



4VAC15-360-10. Taking Aquatic Invertebrates, Amphibians, Reptiles, and Nongame Fish for Private Use.

The recommendation is to: Remove candy darter from the portion prohibiting take.

Rationale: As state endangered species, candy darter harvest prohibited by 29.1-564

Updates: None

Comments: None



Regulatory Cycle – Aquatic Wildlife - 2021

Dec 2019 – Feb 2020 -- public issues Scoping period -- forms on web – staff makes contact with constituent groups or individuals, assess concerns or ideas for changes, utilizing format on input form.

Feb-March - Aquatic committees meet

March 18th, 2020 – Wildlife Boat and LE committee mtg. - preliminary review of issues

March 19th, 2020 - Board meeting – preliminary review of issues identified by staff

April-May – Aquatic staff core group meets to finalize staff recommendations, finalize staff recommendations with AG review

August 20th, 2020 - Board Meeting – Staff recommendations presented, Board proposals created

45 Day public comment period on Board proposals

October 22nd, 2020 - Board Meeting – Staff presents final recommendations for final board approval

Jan 1 2021 – Regulations go into effect

Digest out early spring



Recommended Motion

Mr. Chairman,

**I move that the Board adopt the final regulations as
TITLE proposed by staff.**



Regulatory Cycle – Aquatic Wildlife - 2021

Dec 2019 – Feb 2020 -- public issues Scoping period -- forms on web – staff makes contact with constituent groups or individuals, assess concerns or ideas for changes, utilizing format on input form.

Feb-March - Aquatic committees meet

March 18th, 2020 – Wildlife Boat and LE committee mtg. - preliminary review of issues

March 19th, 2020 - Board meeting – preliminary review of issues identified by staff

April-May – Aquatic staff core group meets to finalize staff recommendations, finalize staff recommendations with AG review

August 19th, 2020 - Wildlife, Boat and Law committee mtg. - Staff recommendations presented

August 20th, 2020 - Board Meeting – Staff recommendations presented, Board proposals created

45 Day public comment period on Board proposals

October 22nd, 2020 - Board Meeting – Staff presents final recommendations for final board approval

Jan 1 2021 – Regulations go into effect

Digest out early spring



Suzie Gilley

Project WILD Update



CONSERVE. CONNECT. PROTECT.

WELCOME TO VIRTUAL PROJECT WILD!

This content is password protected. To view it please enter your password below:

Password:



WELCOME TO VIRTUAL PROJECT WILD!

1 Let's Get Started!

Welcome to the Department of Wildlife Resources (DWR) virtual Project WILD workshops. You should have received an email with more detail information, passwords and links to the final evaluation. Watch this short video about the Department and then click on the workshop you signed up for.



2 Pick Your Workshop



GROWING UP WILD WORKSHOP

Directions



Growing Up WILD is designed for those who teach our youngest students, ages 3–7. Twenty seven activities help them explore the world around them while learning essential skills. Watch this PowerPoint and then Let's Get Started. Remember all passwords and in depth information is in the email sent after you registered. All steps must be completed in order for me to mail you your Growing Up WILD guide.



PROJECT WILD WORKSHOP

Directions



The Project WILD K-12 guide is the core curriculum activity guide in Project WILD. Eighty one interdisciplinary activities build on essential skills, scientific knowledge about wildlife and more. Watch the PowerPoint below and then Let's Get Started. Remember all passwords and in depth information is in the email sent after you registered. All steps must be completed in order for me to mail you the Project WILD K-12 guide.



3

Link and Resources

dwr.virginia.gov/education/resources-for-teachers

dwr.virginia.gov

bewildvirginia.org

www.fishwildlife.org/projectwild

Select WILD activity PDFs are now live! As a reminder, we have made these available for participants taking online training so that they may read activities as part of their training before they have the physical copy of the guide in hand. Each activity is password protected. The password was sent in your initial email, and printing and downloading are disabled. We ask that all participants to please abide by our copyright by not sharing these activities.

For Project WILD training:

<https://www.fishwildlife.org/projectwild/project-wild-activities>

For Aquatic WILD training:

<https://www.fishwildlife.org/projectwild/aw-activities>

For Growing Up WILD training:

<https://www.fishwildlife.org/projectwild/guw-activities>

For Flying WILD training:

<https://www.fishwildlife.org/projectwild/fw-activities>



VIDEO DEMO



Any Questions?

