AGENDA

Board of Game and Inland Fisheries
7870 Villa Park Drive
Henrico, Virginia 23228

February 22, 2017
9:00 am

Call to Order and Welcome, reading of the Mission Statement and Pledge of Allegiance to the Flag.

1. Recognition of Employees and Others

2. Approval of the January 11, 2017 Board Meeting Minutes ***Action***

3. Public Comments – Non Agenda Items

4. Committee Meeting Reports:

   Wildlife, Boat, and Law Enforcement:

   - Staff Recommendations for the 2017-2018 Terrestrial Wildlife Regulations
     Dr. Gray Anderson

   - Staff Recommendations for 2017-2018 Migratory Waterfowl Regulations
     Dr. Gary Costanzo ***Final Action***

   Finance, Audit & Compliance:

   - Report of Finance Committee Meeting on January 16, 2017

5. Closed Session

6. Director's Report

7. Chairman's Report

8. Additional Business/Comments

9. Next meeting Date: Wednesday, May 24, 2017 @ 9:00 am

10. Adjournment

Draft Board Meeting Minutes
Board of Game and Inland Fisheries
7870 Villa Park Drive
Henrico, Virginia 23228

January 11, 2017
9:00 am

Present: Mr. Bill Bolling, **Chairman**, Mr. Leon Boyd, Mr. H. S. Caudill, Ms. Nicole Butterworth, Mr. Chuck Cunningham, Mr. Clayton Spruill, Mr. Esther Nizer, Mr. Douglas Dear, Mr. Watkins Abbitt; **Absent**: Ms. Catherine Claiborne, Mr. Leon Turner; **Executive Director**: Mr. Robert W. " Bob" Duncan; **Senior Leadership Team**; Mr. Lee Walker, Mr. Gary Martel, Mr. Darin Moore , Mr. Tom Guess, Major Scott Naff, Major Bryan Young, Dr. Gray Anderson, Dr. Mike Bednarski, Mr. David Whitehurst. Mr. Matt Hull from the Attorney General's office was in attendance.

The Chairman opened the meeting at 9:00 am and welcomed everyone and noted for the record that a quorum was present for the meeting. Chairman Bill Bolling led the Pledge of Allegiance and Mr. Douglas Dear read the mission statement. The Chairman announced there would be a closed session during the Board meeting.

Recognition of Employees and Others: Chairman Bill Bolling recognized and welcomed Mr. Douglas Dear as a new Board member.

The Chairman called on the Director for recognitions.

The Director recognized Major Bryan Young and Major Scott Naff as the new majors in law enforcement.

The Director recognized Mr. Tom Guess as the new Legislative and Policy Manager and Dr. Gray Anderson as the new Deputy Director of the Bureau.

The Director recognized and thanked Ms. Nikki Rovner, Associate State Director with The Nature Conservancy for attending our Board meeting today.

Approval of the October 20, 2016 Board Meeting Minutes:

The minutes of the October 20, 2016 board meeting have been distributed and posted to the website for review. The Chairman called for a motion to approve the minutes. Mr. Cunningham made a motion to approve the October 20, 2016 Board minutes as submitted. It was seconded by Mr. Boyd. Ayes: Spruill, Bolling, Butterworth, Abbitt, Boyd, Caudill, Cunningham, Dear, Nizer

Public Comments – Non Agenda Items: The Chairman called for Public comments for Non-Agenda items.

- Mr. Steve Nicely of Clifton Forge, VA spoke regarding Bear habitat

Committee Meeting Reports:

Wildlife, Boat, and Law Enforcement Committee:

The Chairman called on Mr. Watkins Abbitt for a report of the Wildlife, Boat, and Law Enforcement Committee who reported they held a meeting on January 10, 2017. Mr. Abbitt called on Dr. Gray Anderson to give an Overview of public scoping for the 2017-2018 Terrestrial Wildlife Regulation Review and Amendment Process.

Mr. Abbitt called on Dr. Gary Costanzo to give an Overview on Staff Recommendations for 2017-2018 Migratory Waterfowl Regulations.

After Dr. Costanzo's report, Mr. Abbitt made a motion, Mr. Chairman, I hereby move the board approve the 2017-18 Migratory Game bird season and bag limit recommendations and the Falconry season and bag limit recommendations as presented by staff, and further authorize staff to modify seasons and bag limits, if necessary, to comply with the final Federal Frameworks. Mr. Caudill seconded the motion. Ayes: Spruill, Bolling, Butterworth, Abbitt, Boyd, Caudill, Cunningham, Dear, Nizer.

Mr. Abbitt called on Dr. Mike Bednarski to give a report on The Aquatic Wildlife Conservation Center and its role in restoring mussels within The Clinch and Powell Rivers.

- Brad Kreps of The Nature Conservancy, Charlottesville, VA spoke regarding The Aquatic Wildlife Conservation Center

The Chairman thanked Dr. Anderson and Dr. Costanzo and Dr. Bednarski for their presentations.

Director's Report: T**he Director reported on the following items:**

- The Director thanked the Bear Hunters for attending today's meeting
- The Director called on Mr. Tom Guess to give an update on the Wake Boarding in Spotsylvania
- The Director called on Mr. Tom Guess to give an update on Legislative issues
- The Director thanked the Board members for attending the Wildlife Foundation reception
- The Director called on Mr. David Whitehurst for an Elk Stakeholder Planning update
- Announced the 2017 Turkey One Shot will be April 22, 2017

The Chairman called for a 5 minute break.

The Chairman called the meeting back to order at 11:00 am

- The Director called on Mr. Lee Walker to present the 100 Anniversary video on the agency

With the Chairman's permission, Mr. Abbitt called on Ms. Jaime Sajecki and Major Scott Naff to give an update on the Bear situation across the state and answered questions asked by board members.

Closed Session: The Chairman called for a motion to move into Closed Session.

Ms. Butterworth read the Closed Session Motion.

Closed Meeting Motion
January 11, 2017

Mr. Chairman,

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 negotiating strategy of the Board, with respect to:

(i) Real property located in Highland, Nelson, New Kent, and Roanoke counties. Secondly, 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 Game and Inland Fisheries 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 counsel, the Department Director, the Deputy Director, the Bureau Director, the Real Property Manager, to also attend this meeting, as it believes their presence will reasonably aid the Board in its consideration of topics that are the subject of the meeting.

It was seconded by Mr. Abbitt. Ayes: Bolling, Boyd, Caudill, Butterworth, Cunningham, Spruill, Nizer, Dear, Spruill

The Board went into Closed Session at 11:30 am.

The Board reconvened at 1:00 pm.

Ms. Butterworth read the Certification of the Closed Meeting.

Certification of Closed Meeting
January 11, 2017

WHEREAS, the Board of Game and Inland Fisheries conducted a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of 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 Game and Inland Fisheries 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.

It was seconded by: Mr. Cunningham, Ayes: Spruill, Bolling, Butterworth, Abbitt, Boyd, Caudill, Cunningham, Dear, Nizer

The Board Secretary conducted the following voice roll call vote:

Mr. Spruill	Ms. Nizer
Mr. Bolling	Mr. Dear
Ms. Butterworth	Mr. Abbitt
Mr. Caudill	Mr. Boyd
Mr. Cunningham	

Motion from the Closed Session:

Mr. Douglas Dear made a motion, Mr. Chairman, I move that the Board authorize the Director to proceed, to acquire approximately 1,598 acres in Roanoke County, Virginia, and Such authorization shall be according to state procedures. It was seconded by Ms. Butterworth. Ayes: Spruill, Bolling, Butterworth, Abbitt, Boyd, Caudill, Cunningham, Dear, Nizer

Chairman's Report: The Chairman announced the next meeting will be Wednesday, February 22, 2017 at 9:00 am. Hearing no further business or comments, the Chairman adjourned the meeting at 1:15 pm.

Respectfully Submitted,
Frances Boswell
/s/

DEPARTMENT OF GAME AND INLAND FISHERIES

REGULATION RECOMMENDATIONS

BUREAU OF WILDLIFE RESOURCES

February 2017

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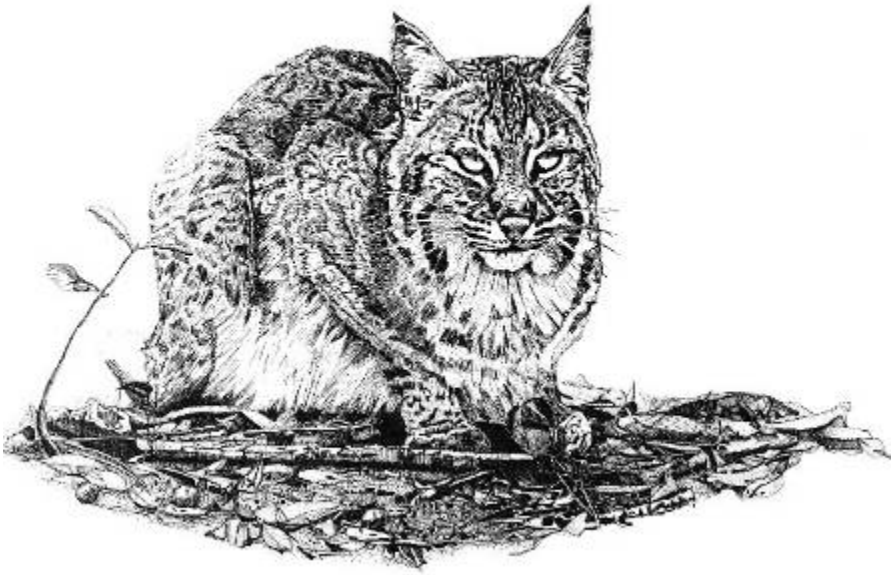


FURBEARERS AND TRAPPING

4 VAC 15-40-30. Recorded wild animal or wild bird calls or sounds prohibited in taking game; bobcats, coyotes, crows, and foxes excepted.

Summary:

The recommendation is to add raccoons to the list of species that can be taken by the use or aid of recorded animal or bird calls or sounds.

Recommended language of amendment;

4 VAC 15-40-30. Recorded wild animal or wild bird calls or sounds prohibited in taking game; bobcats, coyotes, crows, ~~and~~ foxes, and raccoons excepted.

It shall be unlawful to take or attempt to take wild animals and wild birds with the exception of bobcats, coyotes, crows, ~~and~~ foxes, and raccoons by the use or aid of recorded animal or bird calls or sounds; provided, that electronic calls may be used on private lands for hunting bobcats, coyotes, ~~and~~ foxes, and raccoons with the written permission of the landowner and on public lands except where specifically prohibited

Rationale:

The Department annually receives requests to allow hunting of raccoons with electronic calls. Although few hunters would be expected to target raccoons specifically with these calls, raccoons sometimes appear when calling other predator species. Currently, hunters are prohibited from shooting a raccoon that responds to an electronic call. The number of additional raccoons harvested by legalizing this practice is expected to have little or no impact on the population.

4 VAC 15-40-275. Sale of furbearer pelts.

Summary:

The recommendation is to (i) limit the requirement for a fur dealer permit to those who purchase raw fur or unskinned carcasses of fur-bearing animals; (ii) provide for the purchase and sale of pelts not defined as being raw, skinned carcasses, and other furbearer parts by any person at any time without a permit, and; (iii) provide a definition of "raw fur".

Recommended language of amendment:

4 VAC 15-40-275. Sale of furbearer pelts, carcasses, and parts.

It shall be unlawful to buy, sell, barter, traffic or trade in, bargain for, or solicit for purchase raw pelts and unskinned carcasses of fur-bearing animals defined in § 29.1-100 without having first obtained a fur dealer permit in accordance with §§ 29.1-400 through 29.1-407 of the Code of Virginia. A permit shall not be required of any hunter or trapper, or any person lawfully engaged in the business of fur farming, to sell or dispose of legally taken or possessed raw pelts and unskinned carcasses of fur-bearing animals at any time. Provided further, that a permit shall not be required for any person to buy or sell at any time pelts that are not defined as being raw, skinned ~~C~~carcasses~~,~~ or any other parts ~~including portions of carcasses,~~ of legally taken and possessed fur-bearing animals defined in § 29.1-100 ~~may be sold at any time to buyers permitted in accordance with §§ 29.1-400 through 29.1-407 of the Code of Virginia~~. Such parts shall include, but not be limited to, skulls, teeth, claws, bones, glands, and secretions. For the purposes of this section, "raw pelt" shall be defined as any pelt with its hair or fur intact that has not been tanned, cured, chemically preserved, or converted to any usable form beyond initial cleaning, stretching, and drying. Salt-cured and sun-cured pelts shall be considered raw pelts.

Rationale:

(i) In 2016, the General Assembly passed enabling legislation (SB152) that provided the Department with the authority to regulate the sale of wildlife parts and provide exemptions to fur dealer permit requirements. Current law clearly allows for hunters and trappers to sell furbearer carcasses (skinned or unskinned), fur, and furbearer parts that are legally taken and possessed. However, the only individuals who can purchase these items are those who possess a fur dealer permit issued by the Department.

(ii) Trappers, craft vendors, and others have requested that the Department pass a regulation that allows for the purchase and sale of tanned pelts and furbearer parts by anyone at any time. The marketability of specific furbearer parts has increased in recent years. Trappers would like to supplement their trapping income (particularly during periods when pelt prices are low) by selling additional parts from harvested animals that would otherwise go to waste. Current law greatly restricts the ability of trappers and others to market furbearer products.

(iii) Current code requirements for fur dealers do not distinguish between raw and tanned fur. This lack of definition has been problematic for individuals who wanted to sell tanned fur or products made with tanned fur. A definition is needed to clarify the meaning of "raw fur" in the proposed regulation.

4 VAC 15-20-50. Definitions; "wild animal," "native animal," "naturalized animal," "nonnative (exotic) animal" and "domestic animal."

Summary:

The recommendation is to (i) remove the reference to red foxes in the definition of domestic animals and (ii) add subsection B to allow individuals who already own pet red foxes to keep them in captivity until the foxes die, provided they declare such possession to the Department prior to the effective date of the regulation.

Recommended language of amendment:

4 VAC 15-20-50. Definitions; "wild animal," "native animal," "naturalized animal," "nonnative (exotic) animal" and "domestic animal."

A. In accordance with § 29.100 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 2014 "List of Native and Naturalized Fauna of Virginia," with copies available in the Richmond and regional offices of the department.
"*Naturalized animal*" means those species and subspecies of animals not originally native to Virginia which have established wild, self-sustaining populations, as included in the department's 2014 "List of Native and Naturalized Fauna of Virginia," with copies available in the Richmond 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 domestica), including pot-bellied pig excluding any swine that are free-roaming or wild.
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 red fox (Vulpes) where their coat color can be distinguished from wild red fox.~~
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 races of European rabbit (Oryctolagus cuniculus).
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. Domesticated red foxes (*Vulpes vulpes*) having coat colors distinguishable from wild red fox and possessed in captivity on July 1, 2017, may be maintained in captivity until the animals' deaths, but they may not be bred or sold without a permit from the Department. Persons possessing domesticated red foxes 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 individuals in possession, date or dates acquired, sex, estimated age, coloration, and a photograph of each fox. This written declaration shall serve as a permit for possession only, is not transferable, and must be renewed every five years.

Rationale:

(i) The current provision in Department regulation 4VAC15-20-50 that defines certain color phases of red foxes as "domestic animals" was originally intended to reduce the need for issuing wildlife propagation permits to fur farmers raising non-natural color phases of domesticated foxes. An unintended consequence of this provision is the legal ownership of red foxes as pets. Allowing the public to keep red foxes as pets presents a potential risk to public health, most notably risk of rabies transmission, and is inconsistent with other VDGIF regulations regarding pet ownership of native wildlife species.

The rabies virus is known to circulate in wildlife populations throughout the entire Commonwealth and the number of cases diagnosed annually is significant. In 2013 and 2014, Virginia diagnosed the second largest number of rabid animals in the country, exceeded only by the state of Texas. Additionally, Virginia diagnosed 120-126 more cases than the third top ranked state (North Carolina in 2013, Pennsylvania in 2014). Statistics compiled by the Virginia Department of Health (VDH) list foxes as the third most prevalent wildlife species testing positive for rabies, surpassed only by raccoons and skunks. Rabies has one of the highest case-fatality rates of any known infectious disease; a human exposed to rabies and left untreated has a greater than 99% chance of dying once symptoms appear. If potentially exposed to rabies, a person should receive post-exposure treatment in order to ensure survival. There are currently no oral or injectable rabies vaccines licensed for use in foxes in the United States, and if foxes are injected

with the dog vaccine, they are considered unvaccinated by public health agencies (i.e., VDH and the Centers for Disease Control and Prevention). Rabies vaccine labels include only those animals for which the manufacturer can provide clinical research supporting the efficacy of the vaccine in that species.

(ii) Individuals who currently own pet red foxes legally would be required to dispose of their animals unless a grandfather clause is added to the regulation. The proposed exception would allow individuals to keep their legally owned foxes until the animals' death, provided they submit a written declaration to the Department describing the foxes in their possession. Requiring a permit to sell or breed remaining captive foxes is necessary for the Department to monitor and restrict the number of foxes kept in captivity in the future.

A Review of Rabies in Virginia

Rabies General Facts

- Rabies is nearly 100% fatal to humans not treated before signs of illness are observed
- Rabies is a virus that kills almost any mammal that gets sick from it
- Rabies is spread though a bite or by getting saliva or brain tissue in the eyes, nose, mouth, or in an open wound

Rabies in Virginia

- In 2013 and 2014, Virginia diagnosed the second largest number of rabid animals in the country
    - 2013
        - Highest: Texas (937 total rabid animals, 876 rabid wildlife)
        - Second highest: Virginia (506 total rabid animals, 457 rabid wildlife)
    - 2014:
        - Highest: Texas (1,133 total rabid animals, 1,070 rabid wildlife
        - Second highest: Virginia (528 total rabid animals, 486 rabid wildlife)

Wild Red Fox Rabies in Virginia

- Between 2006 and 2015, the Virginia Department of Health (VDH) reported 628 laboratory-confirmed rabid foxes
- Annually, foxes are usually the third most common species laboratory-confirmed with rabies
- Because of the high numbers of rabid foxes diagnosed each year in Virginia, VDGIF considers foxes one of the highest-risk rabies vector species for the state, surpassed only by raccoons and skunks
- Due to the high prevalence of rabies in foxes, VDGIF requires permitted wildlife rehabilitators to be up-to-date on their pre-exposure rabies vaccines and antibody titers in order to work with foxes
    - No such public health safety measures are in place for pet fox owners or for members of the general public that interact with pet foxes
- While a pet fox may have a lower risk of contracting rabies than a wild fox because it does not live in the wild, any pet fox that is kept for any length of time unsupervised in an outdoor kennel, fenced-in yard, or on a lead in the yard, has a chance of coming into contact with rabid wildlife

Human Rabies in Virginia

- The two most recent human rabies cases in Virginia residents occurred in 2003 and 2009
- 2009: The infected Virginia resident was diagnosed with a canine variant of the rabies virus and was most likely exposed after being bitten by a dog while traveling in India
- 2003: A 25-year old man from Northern Virginia succumbed to a raccoon variant of the virus that was a 100% genetic match to a variant from Virginia
    - This was the first human death associated with the raccoon variant of rabies
    - How the patient became exposed remains unknown
- On June 19, 2015, a rabid fox attacked and bit a 2-year old child playing outside at a day care in Roanoke
    - The fox was dispatched post-attack and later tested positive for rabies, thus the toddler underwent aggressive post-exposure treatment

Pet Red Fox Rabies Incidents in Virginia

Although no pet foxes in Virginia have been diagnosed with rabies to date, incidents related to pet foxes have come to the health department's attention

- In a survey performed by the VDH central office in February 2015, to which 23/35 (65%) of health districts responded, seven of the 23 (40%) districts reported health department personnel had experience with people keeping foxes as pets
    - The situations associated with these seven reported incidents resulted in four foxes being euthanized and tested for rabies (all negative) and one person undergoing rabies post-exposure treatment
    - Specific examples of pet fox incidents in Virginia include a pet fox in Bedford County that bit its owner in 2012 and was euthanized and tested for rabies (results were negative) and an individual that was bitten by a pet fox in Roanoke City in 2013 and had to undergo post-exposure treatment
- While pet fox owners likely understand and accept this risk, other less informed individuals coming into spontaneous contact with a captive fox may be unwittingly putting themselves at risk
    - On October 31, 2010, a pet fox dressed in a skeleton costume was reported to have been led around on a leash at the Reston Town Center
        - It is not known how many people may have petted, kissed, or otherwise contacted this pet fox
    - On July 26, 2015, VDGIF Law Enforcement received a call regarding a leashed fox being led around a Wal-Mart parking lot in Claypool Hill

Use of Rabies Vaccines in Foxes

- Unlike with humans, dogs, cats, horses, ferrets, etc., there are no rabies vaccines licensed for use in foxes (wild or captive)
    - Rabies vaccine labels include only those animals for which the manufacturer can provide clinical research supporting the efficacy of the vaccine in that species
- Due to the lack of a rabies vaccine licensed for use in foxes, any pet fox that bites a human must be either euthanized and tested for rabies or the bite victim must undergo post-exposure rabies treatment
- Post-exposure vaccination and treatment costs thousands of dollars and requires multiple injections and trips to a health care provider over the course of approximately two weeks

Oral Rabies Vaccination Program

- An Oral Rabies Vaccination (ORV) program administered in Virginia jointly by the United States Department of Agriculture, the Centers for Disease Control and Prevention (CDC), and the VDH, is currently in progress in Southwest Virginia
- The only product currently licensed for use by the program is RABORAL V-RG, which is a recombinant oral vaccine produced by Merial and is sold only to government agencies conducting rabies control programs
    - RABORAL V-RG is licensed for use in raccoons and coyotes only and is not available for purchase by pet fox owners

4 VAC 15-30-50. Possession, transportation, and release of wildlife by authorized persons.

Summary:

The recommendation is to (i) authorize Department staff, federal employees involved in wildlife management, animal control officers, and commercial nuisance animal permit holders to humanely dispatch wildlife when necessary, and (ii) authorize the Director to make operational decisions about methods and documentation.

Recommended language of amendment;

4 VAC 15-30-50. Definitions and miscellaneous: Importation, possession, sale, etc., of animals. Possession, transportation, and release of wildlife by authorized persons.

A. Department employees in the performance of their official duties; U.S. government agencies' employees whose responsibility includes fisheries and wildlife management; and county, city or town animal control officers in the performance of their official duties related to public health concerns or problem wildlife removal, and individuals operating under conditions of a commercial nuisance animal permit issued by the department pursuant to §§ 29.1-412 and 29.1-417 of the Code of Virginia will be deemed to be permitted pursuant to this section to capture, temporarily hold or possess, transport, release, and when necessary humanely ~~euthanize~~ dispatch wildlife, provided that the methods of and documentation for the capture, possession, transport, release and ~~euthanasia~~ humane dispatch shall be in accordance with ~~board~~ Director policy.

B. Local animal shelters operating under the authority of, or under contract with, any county, city, or town with animal control responsibilities shall be authorized to receive, temporarily confine, and humanely euthanize wildlife, except for state or federal threatened and endangered species; federally protected migratory bird species; black bear; white-tailed deer; and wild turkey, provided that the methods of and documentation for the possession, confinement, and euthanasia shall be in accordance with conditions defined by the agency director. Provided further that any person may legally transport wildlife, except for those species listed above, to an authorized animal shelter after contacting the facility to confirm the animal will be accepted.

C. Employees or agents of other state wildlife agencies while in the performance of their official duty in transporting wildlife through the Commonwealth will be deemed to be permitted pursuant to this section, provided that a list of animals to be transported, a schedule of dates and locations where those animals will be housed while in the Commonwealth, and a letter of authorization from both the forwarding and receiving state agencies are provided to the department 24 hours prior to the transporting of such animals, and further provided that such animals shall not be liberated within the Commonwealth.

D. Employees or agents of government agencies, while in the performance of their official duties, may temporarily possess, transport, and dispose of carcasses of wild animals killed by vehicles, except for state or federal threatened and endangered species, and federally protected migratory bird species.

E. With prior written approval from the director or his designee and under conditions of an applicable department permit, institutions with bona fide accreditation from the Association of Zoos and Aquariums may possess, transport, have transported, export, or import native and naturalized species defined in the List of Native and Naturalized Fauna of Virginia, which is incorporated by reference into 4 VAC 15-20-50.

Rationale:

(i) 4 VAC 15-30-50 authorizes select individuals, including Department employees, to "humanely euthanize wildlife". However, euthanasia is not always an option. At times, we recognize that we have chosen a method not an "approved form of euthanasia" but, under the circumstances, we have elected the most humane method of dispatch available for that situation, which is "humane dispatch". The American Veterinary Medical Association (AVMA) recognizes that "free-ranging animals may need to be killed quickly and efficiently in ways that may not fulfill the criteria for euthanasia". However, "humane dispatch" is not currently authorized. This change ensures that management activities conducted by DGIF, permit holders, and partners are legal when humane dispatch is necessary.

(ii) This change authorizes the Director to make operational decisions pertaining to methods and documentation for capture, possession, transport, release, and humane dispatch without requiring board action. Best Management Practices (BMPs) already exist within the Bureau that may be applicable.

4 VAC 15-40-225. (NEW) Killing of animals captured in live traps; drowning of animals captured in cage traps prohibited.

Summary:

The recommendation is (i) to specifically allow humane dispatch methods for animals captured in traps; and (ii) to prohibit the drowning of animals captured in cage and box traps.

Recommended language of new regulation;

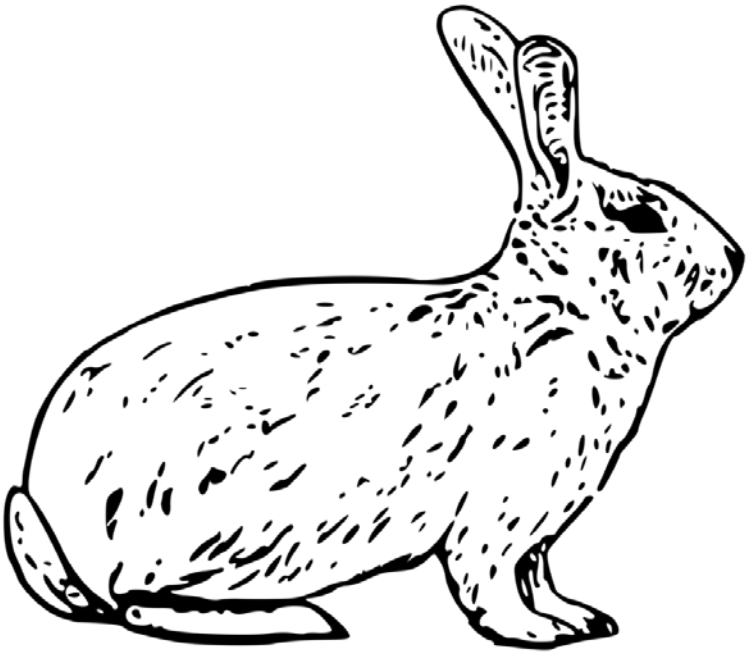
4 VAC 15-40-225. Killing of animals captured in live traps; drowning of animals captured in cage traps prohibited.

It shall be lawful to kill wild animals legally captured in live traps using any humane method of dispatch not specifically prohibited by law; however, it shall be unlawful to intentionally drown any wild animal captured in a cage or box trap.

Rationale:

Code section § 29.1-521(A)(10) currently restricts the permissible methods used to kill wildlife, including those captured in live traps, to those that are specifically permitted by law. Code section § 29.1-519 lists weapons that are permissible for use in hunting, however, Although killing an animal in a trap is generally not considered hunting, trappers who shoot animals may use any weapon authorized in § 29.1-519. No other methods of killing are specifically authorized by law, although trappers currently use a variety of other humane methods to dispatch wildlife. This regulation would authorize any humane dispatch methods for killing animals in traps.

Reports of homeowners drowning wildlife have been received by Department staff. Concerns about the humaneness of drowning led to the introduction of HB 958 during the 2016 Legislative Session. It included the drowning of an animal as an act of cruelty. Ultimately, HB 958 was not enacted, but the issue of drowning wildlife remains. This regulation would specifically prohibit the drowning of animals captured in a cage or box traps.



SMALL GAME

4 VAC 15-190-10. Open season; generally. [quail]

Summary:

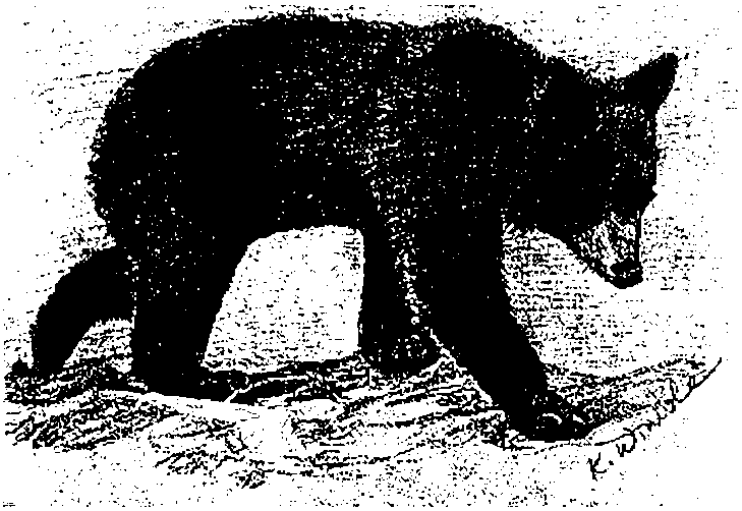
The recommendation is to close the quail hunting season on all public lands west of the Blue Ridge.

Recommended language of the amendment:

4 VAC 15-190-10. Open season; generally.
Except as otherwise specifically provided by the sections appearing in this chapter, it shall be lawful to hunt quail from the Saturday prior to the second Monday in November through January, 31, both dates inclusive. Except it shall be unlawful to hunt quail on all public lands west of the Blue Ridge.

Rationale:

The bobwhite quail population has been in decline for decades. Quail populations on public lands west of the Blue Ridge tend to be small and isolated, making them susceptible to over harvest. Efforts to recover quail have not met with success west of the Blue Ridge. In order to pave the way for re-establishment programs including translocation of wild quail onto suitable tracts of public land, and to allow remaining public lands quail populations a chance to recover, a closure of the quail season on all public lands west of the Blue Ridge is necessary.



BEAR

4 VAC 15-40-282. Unauthorized feeding of bear.

Summary:

The recommendation is to remove the requirement for prior notification before a violation can be issued for feeding bears.

Recommended language of amendment:

4 VAC 15-40-282. Unauthorized feeding of bears.

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

Rationale:

The most important and impactful way to reduce conflicts between bears and people is to make sure that food attractants are not drawing bears onto private property, residential areas or other human populated locations.

In many places in Virginia, there appears to a lack of regard/knowledge of the serious consequences resulting from allowing bears to access to trash, bird feeders, pet foods, etc. In 2016, 75% of bear related calls to VDGIF concerned bears visiting a food source (trash and birdseed) at a home, business, or recreation area. In fact, many of these calls concerned ongoing site-specific incidents where bears were allowed continued access to trash and other attractants throughout the entire year. In these situations, certain residents were, and continue to be, unwilling to take steps to eliminate or secure the attractants around their homes. Because of this bears remain in areas for extended periods of time causing damage to surrounding areas and public safety concerns.

In situations with ongoing feeding (even inadvertently), bears can become habituated and/or food conditioned, cause property damage or become a threat to public safety. Having to destroy a bear because of these preventable reasons does a disservice to Virginia citizens, bear management, and the resource. Further, with more conflicts, tolerance and subsequently cultural carrying capacity for bears decreases.

This regulation recommendation is an important step towards meeting objectives in the Black Bear Management Plan by reinforcing the significant consequences resulting from bears continued access to attractants around people's property, homes, businesses and recreation areas. Few, if any, crimes require prior notification before a citation can be issued for violating the law. Removing the prior notice requirement would serve to align the enforcement of this violation

with other violations that occur in the Commonwealth and highlight the importance of complying with this law. However, even with this change, department personnel will still be able to use judgement in issuing a notice to those violating the law prior to issuing a citation.

It has been illegal to feed bears in Virginia since 2003. The scope and definition of the regulation was modified in 2011 to specifically address who was responsible for feeding activities and what items are construed as attractants. An important value in the Black Bear Management Plan is "Keep Bears Wild". The specific goal addressing human bear conflict is:

Goal 6 - Human-Bear Problems

Mitigate loss of personal property and income, and promote human safety while:

- **Attaining bear population and recreation objectives.**
- **Minimizing negative interactions by fostering sound, proactive management practices that keep bears wild.**
- **Ensuring consistent, shared public / agency responsibility for human-bear problems.**
- **Using hunting as the preferred method when lethal alternatives are required to manage problem bears.**

Citizens, communities, local governments, VDGIF, and other agencies share responsibility in managing problems associated with bears having access to human associated food sources. The decisions and actions of landowners, community leaders, and other citizens directly influence the type of interactions people have with bears and the effectiveness of programs developed to address concerns and damage by bears. Citizen decisions about planting gardens or crops, maintaining beehives, feeding birds or other wildlife, and/or leaving trash unsecured impact local bear movements and abundance, with consequences for themselves, their neighbors, and for bears. These, often negative, consequences are preventable as long as everyone (from private citizens to local government) does their small part and takes this shared responsibility seriously.

4 VAC 15-50-11. Open season; generally. [bear]

Summary:

The recommendation is add a 3-day open season to 37 counties (or portions of) the Monday through Wednesday in the week prior to the statewide archery season.

Recommended language of amendment:

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

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

Location	Season
Accomack County	Closed
Albemarle County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Alleghany County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Amelia County	Monday nearest December 2 and for 5 consecutive hunting days following.
Amherst County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Appomattox County	Monday nearest December 2 and for 5 consecutive hunting days following.
Arlington County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Augusta County (North of US-250)	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Augusta County (South of US-250)	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Bath County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Bedford County	Fourth Monday in November through the first Saturday in January, both dates inclusive.

Bland County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Botetourt County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Brunswick County	Monday nearest December 2 and for 5 consecutive hunting days following.
Buchanan County	Monday following the last Saturday in September and for 2 days following. And First Monday in December through the first Saturday in January, both dates inclusive.
Buckingham County	Monday nearest December 2 and for 5 consecutive hunting days following.
Campbell County	Monday nearest December 2 and for 5 consecutive hunting days following.
Caroline County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Carroll County	First Monday in December and for 19 days following.
Charles City County	Monday nearest December 2 and for 5 consecutive hunting days following.
Charlotte County	Monday nearest December 2 and for 5 consecutive hunting days following.
Chesapeake (City of)	October 1 through the first Saturday in January, both dates inclusive.
Chesterfield County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Clarke County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Craig County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Culpeper County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Cumberland County	Monday nearest December 2 and for 5 consecutive hunting days following.
Dickenson County	Monday following the last Saturday in September and for 2 days following. And First Monday in December through the first Saturday in January, both dates inclusive.

Dinwiddie County	Monday nearest December 2 and for 5 consecutive hunting days following.
Essex County	Monday nearest December 2 and for 5 consecutive hunting days following.
Fairfax County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Fauquier County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Floyd County	First Monday in December and for 19 days following.
Fluvanna County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Franklin County	First Monday in December and for 19 days following.
Frederick County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Giles County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Gloucester County	Monday nearest December 2 and for 5 consecutive hunting days following.
Goochland County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Grayson County	First Monday in December and for 19 days following.
Greene County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Greensville County	Monday nearest December 2 and for 5 consecutive hunting days following.
Halifax County	Monday nearest December 2 and for 5 consecutive hunting days following.
Hanover County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Henrico County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Henry County	First Monday in December and for 19 days following.
Highland County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Isle of Wight County	Monday nearest December 2 and for 5 consecutive hunting days following.

James City County	Monday nearest December 2 and for 5 consecutive hunting days following.
King and Queen County	Monday nearest December 2 and for 5 consecutive hunting days following.
King George County	Monday nearest December 2 and for 5 consecutive hunting days following.
King William County	Monday nearest December 2 and for 5 consecutive hunting days following.
Lancaster County	Monday nearest December 2 and for 5 consecutive hunting days following.
Lee County	Monday following the last Saturday in September and for 2 days following. And First Monday in December through the first Saturday in January, both dates inclusive.
Loudoun County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Louisa County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Lunenburg County	Monday nearest December 2 and for 5 consecutive hunting days following.
Madison County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Mathews County	Monday nearest December 2 and for 5 consecutive hunting days following.
Mecklenburg County	Monday nearest December 2 and for 5 consecutive hunting days following.
Middlesex County	Monday nearest December 2 and for 5 consecutive hunting days following.
Montgomery County (southeast of I-81)	First Monday in December and for 19 days following.
Montgomery County (northwest of I-81)	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Nelson County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
New Kent County	Monday nearest December 2 and for 5 consecutive hunting days following.
Northampton County	Closed
Northumberland County	Monday nearest December 2 and for 5 consecutive hunting days following.
Nottoway County	Monday nearest December 2 and for 5 consecutive hunting days following.

Orange County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Page County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Patrick County	First Monday in December and for 19 days following.
Pittsylvania County	Monday nearest December 2 and for 5 consecutive hunting days following.
Powhatan County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Prince Edward County	Monday nearest December 2 and for 5 consecutive hunting days following.
Prince George County	Monday nearest December 2 and for 5 consecutive hunting days following.
Prince William County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Pulaski County (southeast of I-81)	First Monday in December and for 19 days following.
Pulaski County (northwest of I-81)	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Rappahannock County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Richmond County	Monday nearest December 2 and for 5 consecutive hunting days following.
Roanoke County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Rockbridge County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Rockingham County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Russell County (except on the Channels State Forest and Clinch Mountain WMA)	Monday following the last Saturday in September and for 2 days following. And First Monday in December through the first Saturday in January, both dates inclusive.

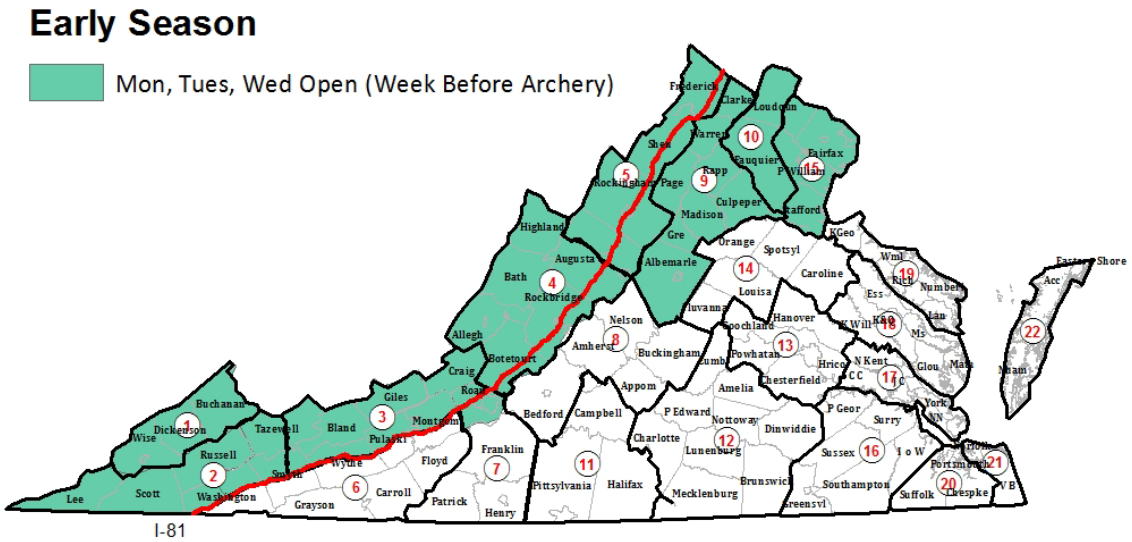
Russell County (on the Channels State Forest and Clinch Mountain WMA)	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Scott County	Monday following the last Saturday in September and for 2 days following. And First Monday in December through the first Saturday in January, both dates inclusive.
Shenandoah County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Smyth County (southeast of I-81)	First Monday in December and for 19 days following.
Smyth County (northwest of I-81)	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Southampton County	Monday nearest December 2 and for 5 consecutive hunting days following.
Spotsylvania County	Fourth Monday in November through the first Saturday in January, both dates inclusive.
Stafford County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Suffolk (City of)	October 1 through the first Saturday in January, both dates inclusive.
Surry County	Monday nearest December 2 and for 5 consecutive hunting days following.
Sussex County	Monday nearest December 2 and for 5 consecutive hunting days following.
Tazewell County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Virginia Beach (City of)	October 1 through the first Saturday in January, both dates inclusive.
Warren County	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
Washington County (southeast of I-81)	First Monday in December and for 19 days following.

Washington County (northwest of I-81 and east of Route 19)	Monday following the last Saturday in September and for 2 days following. And First Monday in December through the first Saturday in January, both dates inclusive.
Washington County (northwest of I-81 and west of Route 19)	Monday following the last Saturday in September and for 2 days following. And First Monday in December and for 19 days following.
Westmoreland County	Monday nearest December 2 and for 5 consecutive hunting days following.
Wise County	Monday following the last Saturday in September and for 2 days following. And First Monday in December through the first Saturday in January, both dates inclusive.
Wythe County (southeast of I-81)	First Monday in December and for 19 days following.
Wythe County (northwest of I-81)	Monday following the last Saturday in September and for 2 days following. And Fourth Monday in November through the first Saturday in January, both dates inclusive.
York County	Monday nearest December 2 and for 5 consecutive hunting days following.

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

Rationale:

Map of areas recommended for 3-day early open season



The following is a combined rationale for the recommendations to increase muzzleloader season by one week and add a 3-day early open season in certain areas.

Background

The VDGIF mission to *"manage wildlife populations and habitat for the benefit of present and future generations"* requires knowledge about public values for Virginia's black bears. The combination of these public values is often considered in terms of cultural carrying capacity (CCC). CCC is the maximum number of bears in an area that is acceptable to the human population. The CCC is a function of the human tolerance to bears and the benefits people derive from bears. It is different for each constituency, location, and point in time. Ultimately, CCC involves a combination of social, economic, political, and biological perspectives. At CCC, the bear population is a balance of positive (e.g., recreation) and negative (e.g., damage) demands for bears. The CCC level for bears generally occurs well below the biological carrying capacity (BCC); BCC is the maximum number of bears that a habitat can sustain over time. Bear populations are managed to meet both population viability and CCC goals.

Goal 2 (Population and Cultural Carrying Capacity (CCC)) in the 2012-2021 Black Bear Management Plan (BBMP) dictates that we "Manage and maintain current and projected bear populations at levels adaptable to a changing CCC (e.g. land use, property concerns, economics, recreational opportunities)" with an objective to meet and maintain bear population objectives at current or potential cultural carrying capacity (CCC) in each Bear Management Zone (Zone). As presented in the BBMP, public values provided the foundation for determining CCC and the resulting population objectives in each Zone (Figure 1). Bear population management objectives to meet the CCC were based on the balanced, albeit somewhat subjective, combination of public values expressed for bear-related recreation, human-bear interaction concerns, and their role in the ecosystem.

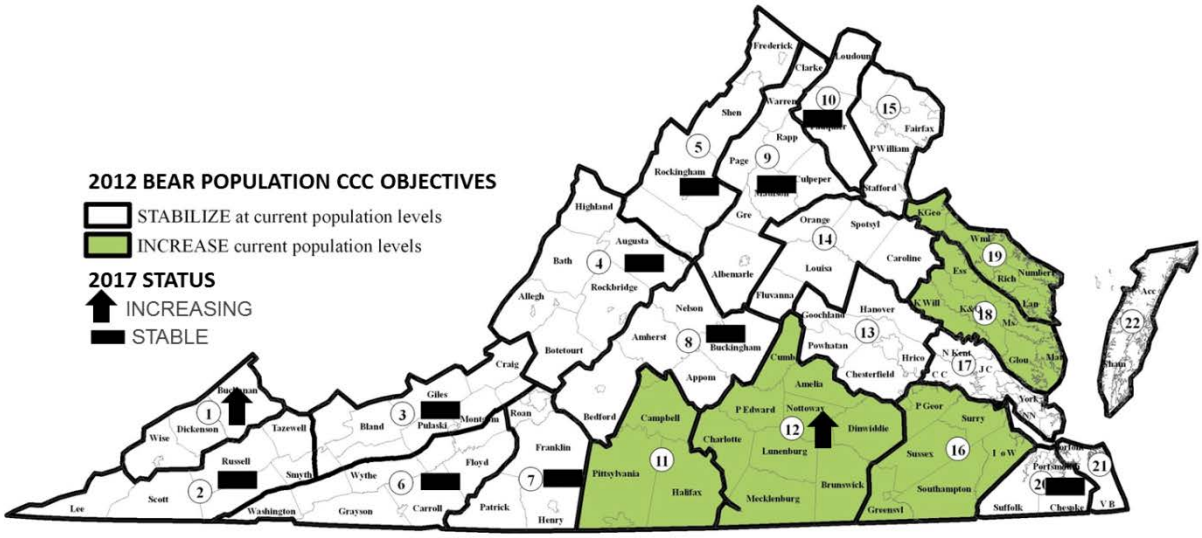


Figure 1. 2012 BBMP Bear population objectives with 2017 population status.

In most areas of Virginia the original BBMP bear population objectives have been met, especially those with the highest relative bear densities (Figure 1). However, the BBMP also

calls for ongoing assessment and updated bear population CCC objectives in each Zone because as bear populations, land use, human populations, and recreational values change, so does the public acceptance of bears. The CCC may be constantly changing over time within any management Zone. Therefore, the CCC objectives need to be updated periodically to ensure that population management programs respond to changes in public demands for bears.

Recent assessment and considerations of current CCC by Zone included a number of factors including trends of bear-related calls, localized and chronic issues, and concerns from agricultural producers and certain hunter groups in addition to input from VDGIF staff responsible for districts within each Zone. In some but not all Zones, these indicators pointed to a shift/decrease in public tolerance for bears over the last five years resulting in bear populations exceeding local CCC and a desire for lower bear populations. For this reason and other Zone-specific issues, new population objectives have been derived with specific bear population reduction goals (Figure 2). The recommendation is to change the bear population objectives in 6 of the 22 bear management zones which happen to have some of the highest densities of bears in VA. Because hunting is the preferred tool for lethal management of bears, additional hunting seasons are being recommended to meet the new goals in each of the Zones.

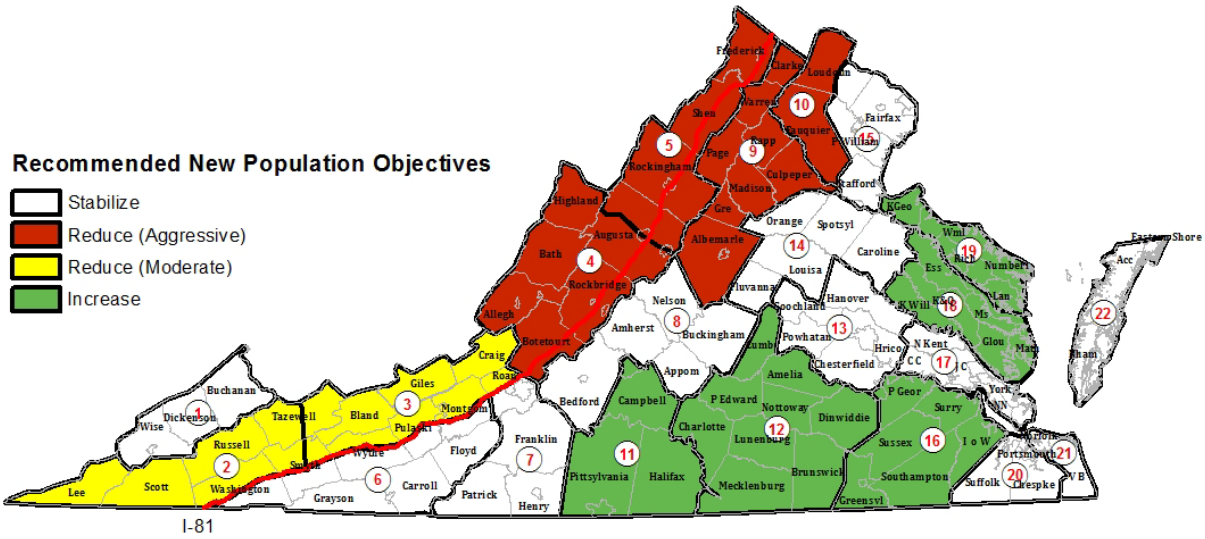


Figure 2. New recommended bear population objectives by bear management zone

Specific Zone Impacts

Zone 1

Because this zone has not met bear population objectives (populations currently increasing), additional mortality is necessary to stabilize the population in this Zone. Increasing annual mortality by 12% resulting in a 14% reduction in the bear population over the next 5 years would conservatively slow and stop growth to stabilize the bear population in this Zone.

Zones 2 and 3

These Zones contain a relatively high density of bears and while the proportional number of bear related issues reported to VDGIF are not as high as other areas of Virginia, these areas present special challenges due to the unique human demographics of the areas. Many of these areas had been identified in the BBMP as having a higher relative risk of agricultural damage by bears and

have a large number of bears killed in agricultural settings. Bear complaint rates are currently among the highest in the state as bear population levels are higher than they have been since the historical population declines. Because of the decreased tolerance and damage issues occurring, a 14% reduction in the bear population over a 5-year period was determined to be the target for population reduction in zones 2 and 3. In order to accomplish this, annual mortality would have to increase by 12%.

Zones 4, 5, 9, and 10

These Zones have some of the highest bear populations in Virginia (some influenced by proximity to Shenandoah National Park) that results in a large proportion of calls to VDGIF about bears. While the vulnerable agricultural crops (e.g., corn, orchards) range from lowest in the state to the relatively highest, the number of agricultural complaints and bears killed has become disproportionate in these areas. Specifically, in these Zones, it is not uncommon for a farmer to kill 20 - 30 bears on his or her property annually, especially in poor mast years when bears in higher numbers are drawn into corn fields. While tolerance for bears was initially perceived to be relatively high in most areas within these Zones, in recent years concerns about the population have been expressed by both private and public entities. There has also been a growing problem with severe cases of mange in bears in the northern portions of Zones 5 and 9 and while there is not strong evidence that this density dependent disease can be stopped through decreased populations, keeping this disease contained in the northern portion of the state is imperative to the health of bears throughout VA. A 25% reduction in the bear population over a 5-year period was determined to be the target for population reduction in zones 4, 5, 9, and 10. In order to accomplish this, annual mortality would have to increase by 23%.

Zones 14, 15

There are no recommended objective changes to these Zones however within these Zones are highly urbanized areas (some areas having the highest human population densities in the state) and heavy-use travel corridors. Bear populations are currently very low (with only infrequent occurrences) compared to other areas of Virginia and human tolerance is the lowest in the state in portions of this area. Because projections are strong for continued future human growth and development in these Zones, especially along the I-95 and I-64 corridors, only infrequent occurrences of bears in these urbanized Zones can be compatible with the limited habitat availability and public tolerances. Therefore in keeping with the original BBMP objectives, bear populations should remain stabilized at the very low to nonexistent populations that currently exist in these Zones.

Season Recommendations to Meet Recommended New Population Objectives (Figure 3)

1. <u>3-day open season prior to the archery season.</u> A 3-day open season would be expected to produce a 12% increase in the bear harvest (mortality). This season would take place Monday - Wednesday in the week prior to the opening of statewide archery season when there are currently no other large game seasons open. As an additional open season, this hunting opportunity would conform to existing regulations regarding open season including dog and weapon use. An open season would provide for additional recreational benefits for all methods of legal bear hunting. An early open season was supported through public comment in the initial public comment scoping period.

2. <u>Full two weeks (added first week) of muzzleloader hunting for bears.</u> A full week of additional muzzleloading (during the first week of the muzzleloader season) would result in about a 13% increase in the bear harvest (mortaility). Additional muzzleloading hunting opportunities for bears were supported through public comment in the initial public comment scoping period.

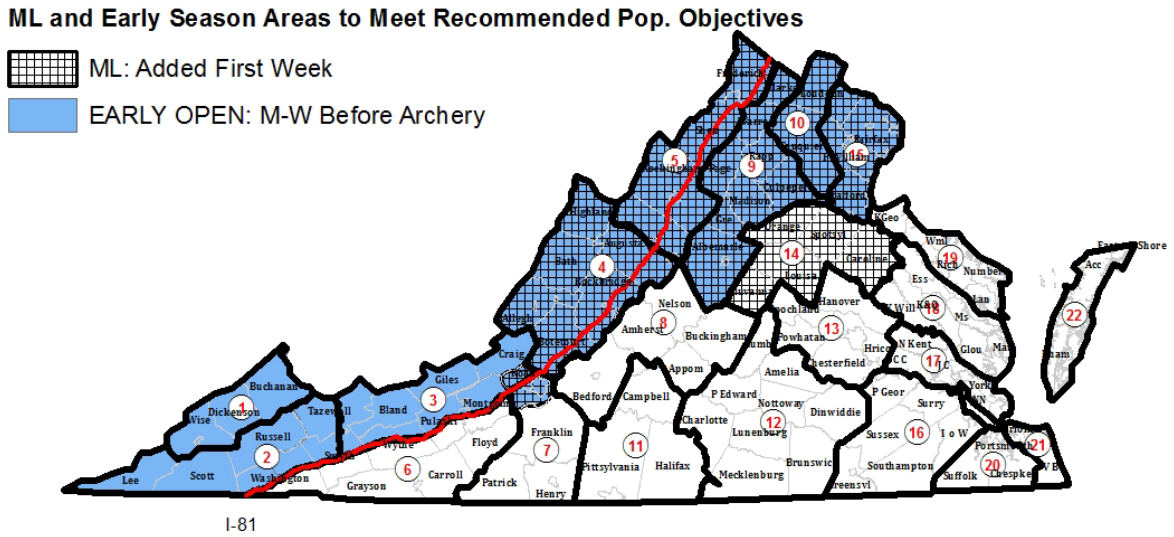


Figure 3. Locations for early open season and extra week of muzzleloader based on new population objectives.

Finally, if the seasons were to be implemented as recommended the resulting impacts would vary by Zone. The goals would be to meet or continue to meet objectives in Zones 1, 14, and 15, and change the objectives in Zones 2, 3, 4, 5, 9 and 10 from stabilize to two different levels of reduce/decrease (Figure 4, Table 1).

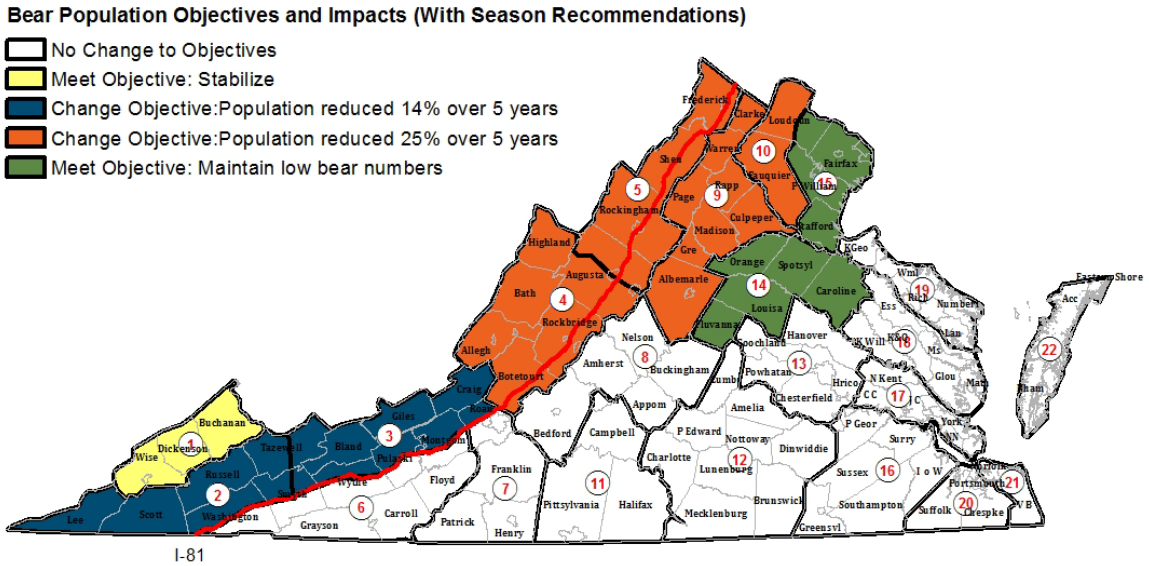


Figure 4. Bear population objectives and impacts based on recommendations.

Table 1. Summary of recommended changes to objectives and harvest season.

Zone (s)	Current Objective	Current Status	New Objective	Why (Generally)	How
1	Stabilize at 2012 population level	Increasing	Keep same objective	Haven't met 2012 objective, need additional mortality to meet original objective and stabilize population	3 day Early Open Season: 12% increase in mortality
2, 3	Stabilize at 2012 population level	Stable	Decrease population 14% over 5 years	Decreased tolerance/ exceeded CCC, ag. damage/ kill permit concerns, shift additional mortality into regulated hunting season	3 day -Early Open Season: 12% increase in mortality
4, 5, 9, 10	Stabilize at 2012 population level	Stable	Decrease population 25% over 5 years	Decreased tolerance, exceeded CCC, mange issues, ag damage/ kill permit concerns shift additional mortality into regulated hunting season	Extra Week ML + 3 day -Early Open Season: 25% increase in mortality
14	Stabilize at very low levels	Very low harvests, not enough data to support	Keep same objective	Want to keep bear numbers low in these areas, add recreation.	Extra Week ML: 13% increase in mortality
15	Stabilize at very low levels	Very low harvests, not enough data to support	Keep same objective	Want to keep bear numbers low in these areas, add recreation.	Extra Week ML + 3 day -Early Open Season: 25% increase in mortality
Roanoke County	Site- Specific (County in 2 Zones)	Low harvests	Keep same objective	Site Specific management of high annual conflict area.	Extra Week ML + 3 day -Early Open Season: 25% increase in mortality

4 VAC 15-50-71. Muzzleloading gun hunting.[bear]

Summary:

The recommendation is add one week of muzzleloading hunting for bears to 29 counties and the cities and towns within.

Recommended language of amendment:

4 VAC 15-50-71. Muzzleloading gun hunting.

A. Except as otherwise provided in the sections appearing in this chapter, ~~I~~it shall be lawful to hunt bears during the special muzzleloading season with muzzleloading guns from the Saturday prior to the second Monday in November through the Friday prior to the third Monday in November, both dates inclusive, except in the cities of Chesapeake, Suffolk, and Virginia Beach.

B. It shall be lawful to hunt bears during the muzzleloading season with muzzleloading guns from the Saturday prior to the first Monday in November through the Friday prior to the third Monday in November, both dates inclusive, in the counties (including the cities or towns within) of Albemarle, Alleghany, Arlington, Augusta, Bath, Botetourt, Caroline, Clarke, Culpeper, Fairfax, Fauquier, Fluvanna, Frederick, Greene, Highland, Loudoun, Louisa, Madison, Orange, Page, Prince William, Rappahannock, Roanoke, Rockbridge, Rockingham, Shenandoah, Spotsylvania, Stafford, and Warren.

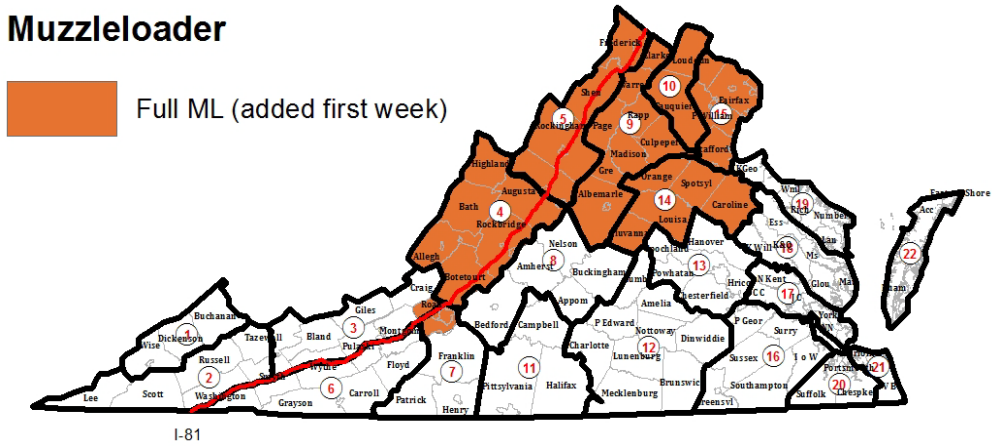
~~B.~~ C. It shall be unlawful to hunt bears with dogs during any special season for hunting with muzzleloading guns, except that tracking dogs as defined in § 29.1-516.1 of the Code of Virginia may be used.

~~C.~~ D. A muzzleloading gun, for the purpose of this section, means a single shot weapon, .45 caliber or larger, firing a single projectile or sabot (with a .38 caliber or larger projectile) of the same caliber loaded from the muzzle of the weapon and propelled by at least 50 grains of black powder (or black powder equivalent or smokeless powder).

~~D.~~ E. It shall be unlawful to have in immediate possession any firearm other than a muzzleloading gun while hunting with a muzzleloading gun in a special muzzleloading season.

Rationale:

Map of areas recommended for additional muzzleloader season



The following is a rationale for the recommendations to increase muzzleloader season by one week and add a 3-day early open season in certain areas.

Background

The VDGIF mission to *"manage wildlife populations and habitat for the benefit of present and future generations"* requires knowledge about public values for Virginia's black bears. The combination of these public values is often considered in terms of cultural carrying capacity (CCC). CCC is the maximum number of bears in an area that is acceptable to the human population. The CCC is a function of the human tolerance to bears and the benefits people derive from bears. It is different for each constituency, location, and point in time. Ultimately, CCC involves a combination of social, economic, political, and biological perspectives. At CCC, the bear population is a balance of positive (e.g., recreation) and negative (e.g., damage) demands for bears. The CCC level for bears generally occurs well below the biological carrying capacity (BCC); BCC is the maximum number of bears that a habitat can sustain over time. Bear populations are managed to meet both population viability and CCC goals.

Goal 2 (Population and Cultural Carrying Capacity (CCC)) in the 2012-2021 Black Bear Management Plan (BBMP) dictates that we "Manage and maintain current and projected bear populations at levels adaptable to a changing CCC (e.g. land use, property concerns, economics, recreational opportunities)" with an objective to meet and maintain bear population objectives at current or potential cultural carrying capacity (CCC) in each Bear Management Zone (Zone). As presented in the BBMP, public values provided the foundation for determining CCC and the resulting population objectives in each Zone (Figure 1). Bear population management objectives to meet the CCC were based on the balanced, albeit somewhat subjective, combination of public values expressed for bear-related recreation, human-bear interaction concerns, and their role in the ecosystem.

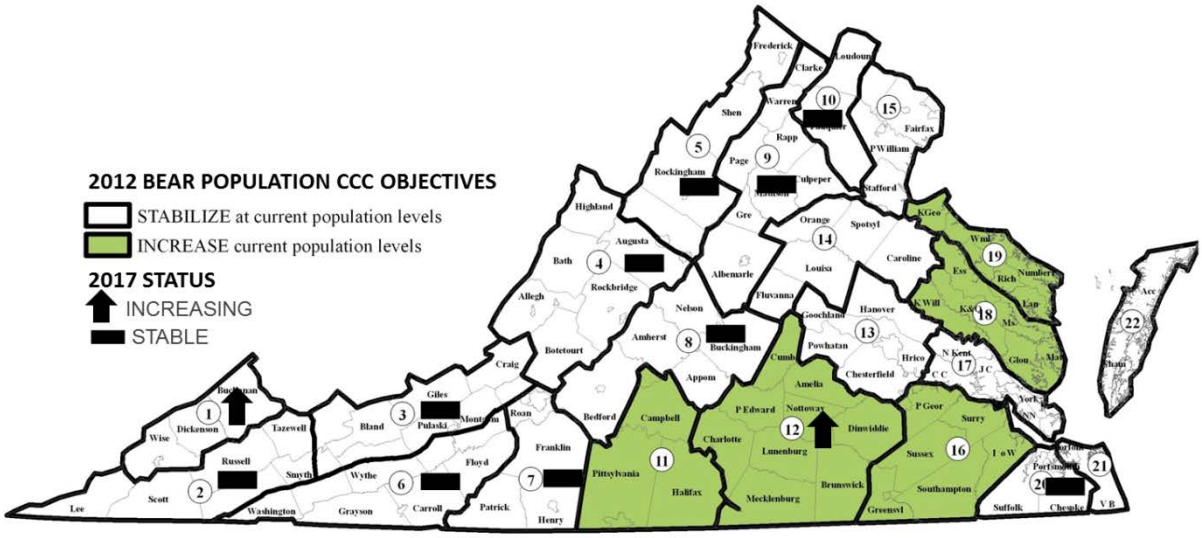


Figure 1. 2012 BBMP Bear population objectives with 2017 population status.

In most areas of Virginia the original BBMP bear population objectives have been met, especially those with the highest relative bear densities (Figure 1). However, the BBMP also

calls for ongoing assessment and updated bear population CCC objectives in each Zone because as bear populations, land use, human populations, and recreational values change, so does the public acceptance of bears. The CCC may be constantly changing over time within any management Zone. Therefore, the CCC objectives need to be updated periodically to ensure that population management programs respond to changes in public demands for bears.

Recent assessment and considerations of current CCC by Zone included a number of factors including trends of bear-related calls, localized and chronic issues, and concerns from agricultural producers and certain hunter groups in addition to input from VDGIF staff responsible for districts within each Zone. In some but not all Zones, these indicators pointed to a shift/decrease in public tolerance for bears over the last five years resulting in bear populations exceeding local CCC and a desire for lower bear populations. For this reason and other Zone-specific issues, new population objectives have been derived with specific bear population reduction goals (Figure 2). The recommendation is to change the bear population objectives in 6 of the 22 bear management zones which happen to have some of the highest densities of bears in VA. Because hunting is the preferred tool for lethal management of bears, additional hunting seasons are being recommended to meet the new goals in each of the Zones.

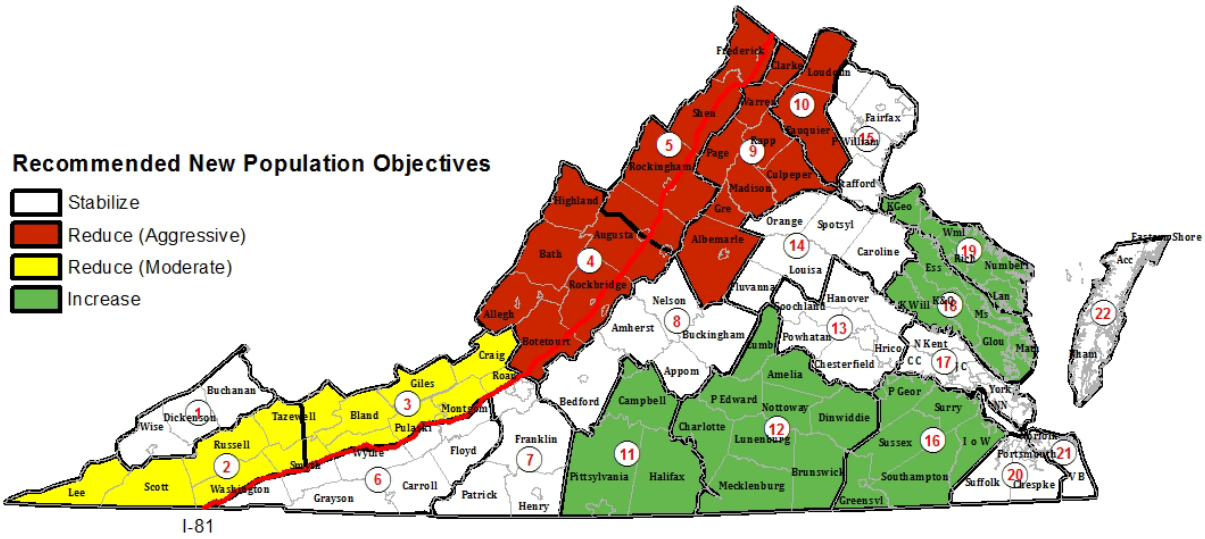


Figure 2. New recommended bear population objectives by bear management zone

Specific Zone Impacts

Zone 1

Because this zone has not met bear population objectives (populations currently increasing), additional mortality is necessary to stabilize the population in this Zone. Increasing annual mortality by 12% resulting in a 14% reduction in the bear population over the next 5 years would conservatively slow and stop growth to stabilize the bear population in this Zone.

Zones 2 and 3

These Zones contain a relatively high density of bears and while the proportional number of bear related issues reported to VDGIF are not as high as other areas of Virginia, these areas present special challenges due to the unique human demographics of the areas. Many of these areas had been identified in the BBMP as having a higher relative risk of agricultural damage by bears and

have a large number of bears killed in agricultural settings. Bear complaint rates are currently among the highest in the state as bear population levels are higher than they have been since the historical population declines. Because of the decreased tolerance and damage issues occurring, a 14% reduction in the bear population over a 5-year period was determined to be the target for population reduction in zones 2 and 3. In order to accomplish this, annual mortality would have to increase by 12%.

Zones 4, 5, 9, and 10

These Zones have some of the highest bear populations in Virginia (some influenced by proximity to Shenandoah National Park) that results in a large proportion of calls to VDGIF about bears. While the vulnerable agricultural crops (e.g., corn, orchards) range from lowest in the state to the relatively highest, the number of agricultural complaints and bears killed have become disproportionate in these areas. Specifically, in these Zones, it is not uncommon for a farmer to kill 20 - 30 bears on his or her property annually, especially in poor mast years when bears in higher numbers are drawn into corn fields. While tolerance for bears was initially perceived to be relatively high in most areas within these Zones, in recent years concerns about the population have been expressed by both private and public entities. There has also been a growing problem with severe cases of mange in bears in the northern portions of Zones 5 and 9 and while there is not strong evidence that this density dependent disease can be stopped through decreased populations, keeping this disease contained in the northern portion of the state is imperative to the health of bears throughout VA. A 25% reduction in the bear population over a 5-year period was determined to be the target for population reduction in zones 4, 5, 9, and 10. In order to accomplish this, annual mortality would have to increase by 23%.

Zones 14, 15

There are no recommended objective changes to these Zones however within these Zones are highly urbanized areas (some areas having the highest human population densities in the state) and heavy-use travel corridors. Bear populations are currently very low (with only infrequent occurrences) compared to other areas of Virginia and human tolerance is the lowest in the state in portions of this area. Because projections are strong for continued future human growth and development in these Zones, especially along the I-95 and I-64 corridors, only infrequent occurrences of bears in these urbanized Zones can be compatible with the limited habitat availability and public tolerances. Therefore in keeping with the original BBMP objectives, bear populations should remain stabilized at the very low to nonexistent populations that currently exist in these Zones.

Season Recommendations to Meet Recommended New Population Objectives (Figure 3)

1. <u>3-day open season prior to the archery season.</u> A 3-day open season would be expected to produce a 12% increase in the bear harvest (mortality). This season would take place Monday - Wednesday in the week prior to the opening of statewide archery season when there are currently no other large game seasons open. As an additional open season, this hunting opportunity would conform to existing regulations regarding open season including dog and weapon use. An open season would provide for additional recreational benefits for all methods of legal bear hunting. An early open season was supported through public comment in the initial public comment scoping period.

2. Full two weeks (added first week) of muzzleloader hunting for bears. A full week of additional muzzleloading (during the first week of the muzzleloader season) would result in about a 13% increase in the bear harvest (mortality). Additional muzzleloading hunting opportunities for bears were supported through public comment in the initial public comment scoping period.

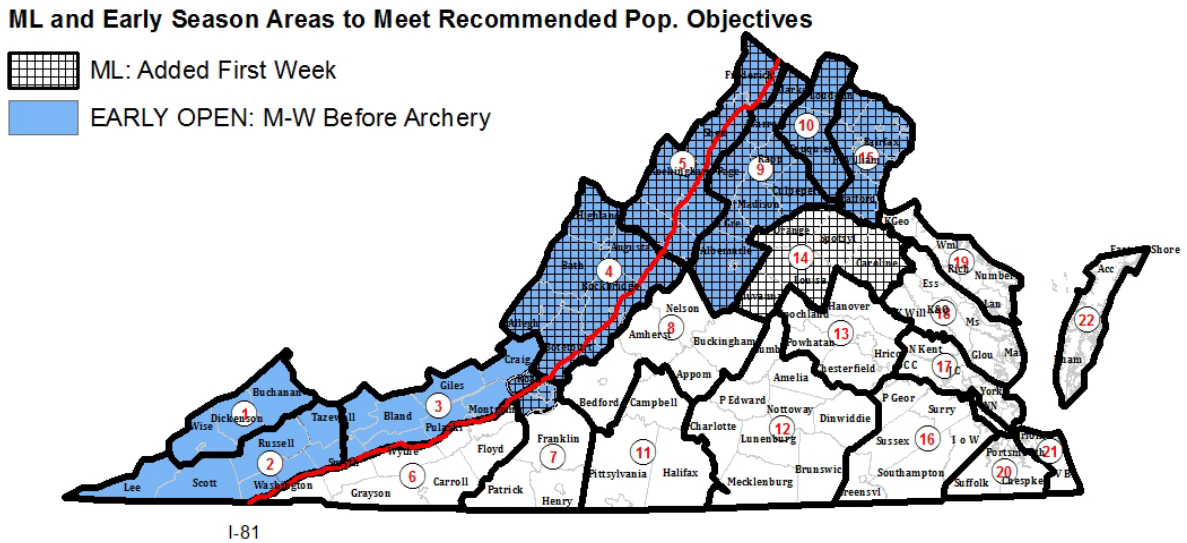


Figure 3. Locations for early open season and extra week of muzzleloader based on new population objectives.

Finally, if the seasons were to be implemented as recommended the resulting impacts would vary by Zone. The goals would be to meet or continue to meet objectives in Zones 1, 14, and 15, and change the objectives in Zones 2, 3, 4, 5, 9 and 10 from stabilize to two different levels of reduce/decrease (Figure 4, Table 1).

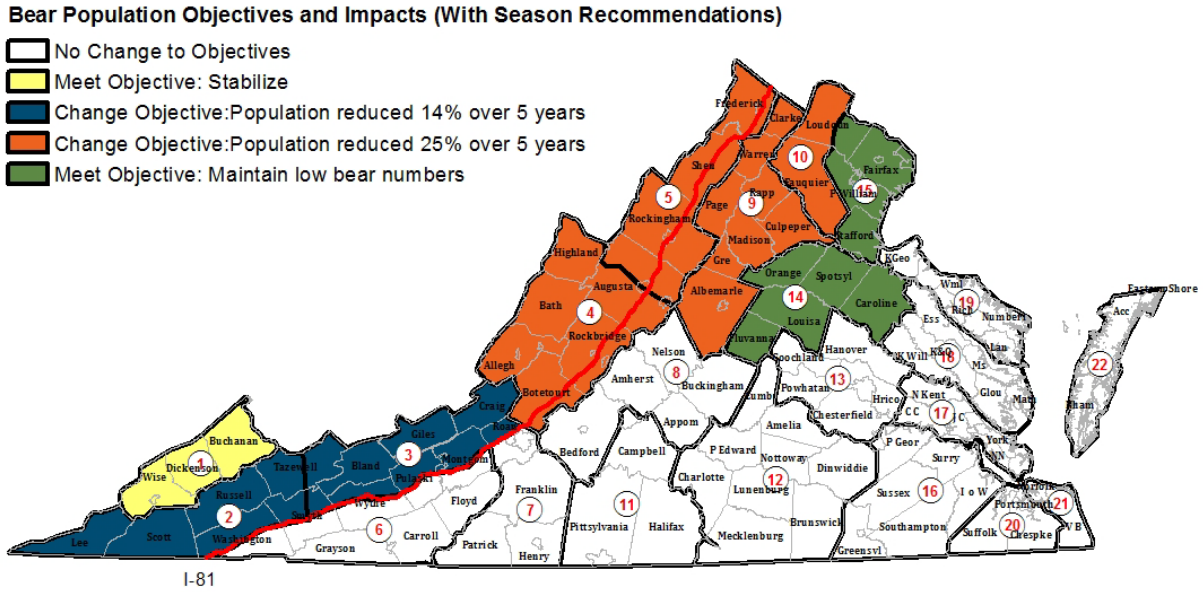


Figure 4. Bear population objectives and impacts based on recommendations.

Table 1. Summary of recommended changes to objectives and harvest season.

Zone (s)	Current Objective	Current Status	New Objective	Why (Generally)	How
1	Stabilize at 2012 population level	Increasing	Keep same objective	Haven't met 2012 objective, need additional mortality to meet original objective and stabilize population	3 day Early Open Season: 12% increase in mortality
2, 3	Stabilize at 2012 population level	Stable	Decrease population 14% over 5 years	Decreased tolerance/ exceeded CCC, ag. damage/ kill permit concerns, shift additional mortality into regulated hunting season	3 day -Early Open Season: 12% increase in mortality
4, 5, 9, 10	Stabilize at 2012 population level	Stable	Decrease population 25% over 5 years	Decreased tolerance, exceeded CCC, mange issues, ag damage/ kill permit concerns shift additional mortality into regulated hunting season	Extra Week ML + 3 day -Early Open Season: 25% increase in mortality
14	Stabilize at very low levels	Very low harvests, not enough data to support	Keep same objective	Want to keep bear numbers low in these areas, add recreation.	Extra Week ML: 13% increase in mortality
15	Stabilize at very low levels	Very low harvests, not enough data to support	Keep same objective	Want to keep bear numbers low in these areas, add recreation.	Extra Week ML + 3 day -Early Open Season: 25% increase in mortality
Roanoke County	Site- Specific (County in 2 Zones)	Low harvests	Keep same objective	Site Specific management of high annual conflict area.	Extra Week ML + 3 day -Early Open Season: 25% increase in mortality

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

Summary:

The recommendation is to change the bear hound training season dates in the counties of Brunswick, Charlotte, Greensville, Lunenburg, and Mecklenburg to match the western bear hound training season.

Recommended language of amendment:

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

A. It shall be lawful to chase black bear with dogs, without capturing or taking, from the second Saturday in August through the last Saturday in September, both dates inclusive, in all counties and cities or in the portions in which bear hunting is permitted except in the counties of Accomack, Amelia, Appomattox, ~~Brunswick,~~ Buckingham, Campbell, Caroline, Charles City, ~~Charlotte,~~ Chesterfield, Clarke, Cumberland, Dinwiddie, Essex, Fairfax, Fauquier, Fluvanna, Frederick, Gloucester, Goochland, Grayson (west of Route 16), ~~Greensville,~~ Halifax, Hanover, Henrico, Henry, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Louisa, ~~Lunenburg,~~ Mathews, ~~Mecklenburg,~~ Middlesex, New Kent, Northampton, Northumberland, Nottoway, Orange, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Prince William, Richmond, Roanoke (south of Interstate 81), Smyth (that part south of Interstate 81 and west of Route 16), Southampton, Spotsylvania, Stafford, Surry, Sussex, Westmoreland, and York, and in the cities of Hampton, Newport News and Norfolk.

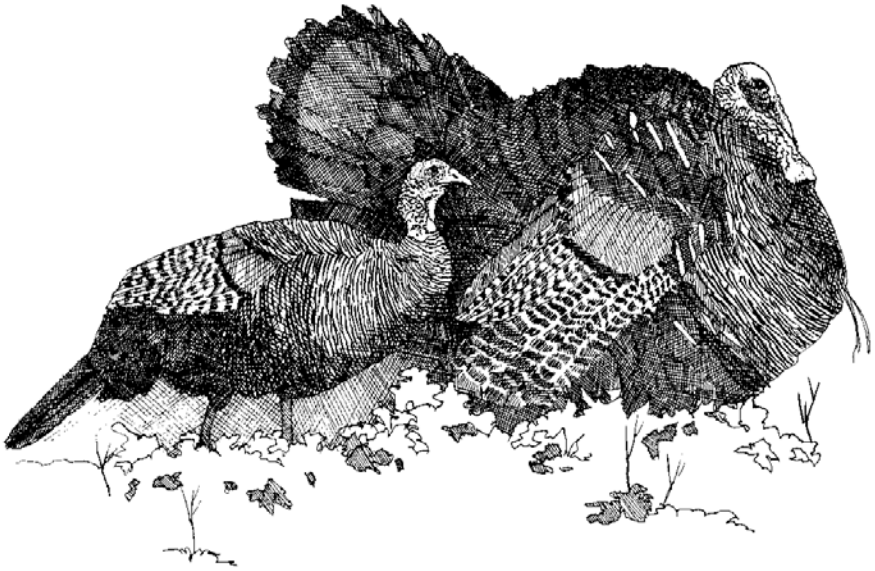
B. It shall be lawful to chase black bear with dogs, without capturing or taking, from the Saturday prior to the third Monday in November and for 14 days following, both dates inclusive, in the counties of Amelia, Appomattox, Buckingham, Brunswick, Campbell (east of the Norfolk Southern Railroad), Charles City, Charlotte, Cumberland, Essex, Gloucester, Greensville, Halifax, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Lunenburg, Mathews, Mecklenburg, Middlesex, New Kent, Northumberland, Nottoway, Pittsylvania (east of the Norfolk Southern Railroad), Prince Edward, Prince George, Richmond, Southampton, Surry, Sussex, Westmoreland, and York.

~~C. It shall be lawful to chase black bears with dogs, without capturing or taking, in the counties of Brunswick, Charlotte, Greensville, Lunenburg, and Mecklenburg from the first Saturday in September through the last Saturday in September, both dates inclusive.~~

~~D.~~ C. It shall be unlawful to have in possession a firearm, bow, crossbow or any weapon capable of taking a black bear while participating in the bear hound training season. The meaning of "possession" for the purpose of this section shall include, but not be limited to, having a firearm, bow, crossbow or any weapon capable of taking a black bear in or on one's person, vehicle, or conveyance.

Rationale

There has continued to be a growing interest in bear hound training in Southside Virginia. The counties of Brunswick, Greensville, Lunenburg, and Mecklenburg have had an established bear hound training season since 2006. In 2013, the short December season was moved into two weeks of September to more closely resemble the traditional western season. In 2015, the area was expanded to include Charlotte County and was expanded by another week to allow Southside bear hound hunters more training opportunity as well as the opportunity to participate in the youth/apprentice bear hunting day at that time. This conservative approach to increasing the season length in Southside was taken to gauge and promote interest and also determine the potential for landowner conflicts in those areas. These Southside counties, with locally increasing bear populations, contain some of the lowest human population densities in Virginia which predictably has resulted in fewer conflicts with landowners than in more heavily human populated areas. Expansion of the bear hound training season would allow Southside bear hound hunters more recreational opportunity with the potential to recruit new hunters to the sport. This expansion would allow hunters the ability to help commercial corn producers keep bears out of the crops during peak damage season in the fall, potentially reducing the number of bears killed on kill permits. And lastly, this would keep bear hound hunters in home areas where they have established mutual cooperative relationships with landowners. This recommendation would meet objectives in the Black Bear Management Plan goal addressing recreational opportunities, as well as objectives under the goal regarding human bear conflicts, specifically using non-lethal techniques to manage bear related issues and reducing the need to issue commercial agriculture kill permits through effective and proactive actions.



TURKEY

4 VAC 15-240-50. Continuous closed season in certain counties, cities and areas. [turkey]

Summary:

The proposal is to provide fall and spring turkey hunting seasons in the cities of Newport News and Hampton. Turkey hunting seasons on Langley Air Force Base (Hampton) and on Fort Eustis (Newport News) would help control turkey populations that are causing concern for public safety. Second, we propose to clarify that the cities of Norfolk and Portsmouth are closed to turkey hunting**.**

Proposed language of amendment:

4 VAC 15-240-50. Continuous closed season in certain counties, cities and areas.

There shall be continuous closed turkey season, except where a special spring season for bearded turkeys is provided for in 4VAC15-240-40, in the county of Arlington; and in the cities of Chesapeake, ~~Hampton, Newport News~~, Norfolk, Portsmouth, and Virginia Beach. -

Rationale:

Staff at Langley Air Force Base have requested permission to provide fall and spring hunting to help control the turkey population on the base because of the threat they pose to aircraft landing at and taking off from the base. The same threat exists at the Fort Eustis Air Field in Hampton; their staff have likewise requested permission offer turkey hunting. Natural Resources staff at each facility will manage their turkey hunting programs if this proposal is adopted.

As a “house cleaning” exercise we propose to add the cities of Norfolk and Portsmouth to the list of our closed cities. Both cities have over-looked in earlier regulations. Turkey populations are essentially non-existent in these metropolitan areas.

4 VAC 15-240-40. Open season; spring season for bearded turkeys.

Summary

The proposal would make turkey hunting by holding or using tail fans or decoys with tail fans unlawful.

Proposed language of amendment:

4 VAC 15-240-40. Open season; spring season for bearded turkeys.

A. Except as otherwise provided in this section, it shall be lawful to hunt bearded turkeys from the second Saturday in April and for 35 days following, both dates inclusive, from 1/2 hour before sunrise to 12:00 noon prevailing time during the first 23 days and from 1/2 hour before sunrise to sunset during the last 13 days of the spring season.

B. Turkey hunters 15 years of age and younger and holders of an apprentice hunting license may hunt on the first Saturday in April and the following calendar day from 1/2 hour before sunrise to sunset, when in compliance with applicable license requirements and when accompanied and directly supervised by an adult who has a valid Virginia hunting license on his person or an adult who is exempt from purchasing a hunting license. Adult hunters accompanying youth hunters or apprentice license holders on these days may assist with calling but they shall not carry or discharge weapons. Youth and apprentice turkey hunters are limited on this weekend to one turkey per hunter.

C. Upon receipt of an application from an officer or other designated official representative of any nonprofit organization that has support for sportsmen with impaired mobility as one of its mission statements, the director may issue a permit to an officer or representative of the organization that allows sportsmen with impaired mobility to hunt bearded wild turkeys from 1/2 hour before sunrise to sunset from the 10th through 16th days of the spring season. Such authorization shall be valid only when hunting during an authorized event. All participants shall be in compliance with all requirements of law and regulation that apply during the spring season, and bearded turkeys killed during these events shall count toward daily and annual bag limits.

D. Bearded turkeys may be hunted by calling.

E. It shall be unlawful to use dogs or organized drives for the purpose of hunting.

F. It shall be unlawful to use or have in possession any shot larger than number 2 fine shot when hunting turkeys with a shotgun.

G. It shall be unlawful to hunt turkeys while using or holding tail fans, using or holding partial or full decoys with tail fans, or with tail fans mounted to a firearm. Prohibited tail fans include those made of real or synthetic feathers or an image of a tail fan that is drawn or printed on paper, plastic, cloth**,** vinyl, wood or other material. It is lawful to hunt turkeys with tail fans or

with partial or full decoys with tail fans from a stationary location if the tail fan or the partial or full decoys with tail fans are placed no closer than 20 feet from the hunter. _ _ -

Rationale:

The method where a hunter crawls towards a gobbler using a tail fan or a decoy with a tail fan to conceal his/her presence is increasing in Virginia and throughout the United States according to outdoor writers, decoy companies, and social media. The method is commonly referred to as "fanning" or "reaping." We are concerned about fanning as it makes a hunter look like the game they are hunting. We have had one fatality involving a shotgun where a hunter was using a tail fan and was killed because he was mistaken for a gobbler. The victim was shot by a companion on private land. Furthermore, fanning appears to result in a high incidence of wounding as hunters oftentimes take shots at running or flying gobblers. If the use of turkey fans increases as predicted, the number of incidents and fatalities arising from the use of turkey fans is likely to increase. We propose to prohibit the use of this dangerous hunting practice and avoid circumstances where incidents and fatalities arise from fanning.

4 VAC 15-240-60. Archery hunting. [turkey]

Summary

The proposal would make the end of the archery season concurrent with the end of the first part of the fall turkey season where firearms and muzzleloader weapons are legal.

Proposed language of amendment:

4 VAC 15-240-60. Archery hunting. [turkey]

A.Season.It shall be lawful to hunt turkey with archery equipment in those counties and areas open to fall turkey hunting from the first Saturday in October through the ~~Saturday prior to the second Monday in November,.~~ Friday that is 13 days after the Saturday before the last Monday in October, both dates inclusive.

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

C. Carrying firearms prohibited. It shall be unlawful to carry firearms while hunting with archery equipment during the special archery season.

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

Rationale

Currently the first part of the turkey season, where firearms and muzzleloaders are legal weapons, end on a Friday. However, the turkey archery season closes either one or seven days later, depending on the calendar year. This has created confusion to hunters and CPO's in the field. Aligning the close dates will make it easier on hunters to remember the last date of these seasons. It will also strengthen the officer's cases on legitimate poachers who may be able to cast confusion and doubt in the court.

WATERFOWL

4 VAC 15-290-140. Possession and display of a harvest information program registration number to hunt.

Summary:

The amendment is to require all those who hunt migratory game birds, including those who are license exempt, to possess a Harvest Information Program (HIP) permit.

Proposed language of amendment:

4 VAC 15-290-140. Possession and display of a harvest information program ~~registration number~~ authorization to hunt~~.~~ migratory game birds.

Every person, whether licensed or exempt from being licensed, must be registered with the Virginia ~~required to obtain a~~ H~~h~~arvest I~~i~~nformation P~~p~~rogram (HIP) ~~registration number~~ to hunt migratory game birds (including waterfowl, doves, woodcock, snipe, rails, gallinules, moorhens, and coots), and must carry the ~~registration number~~ HIP authorization on his person when hunting, and shall present it immediately upon demand of any officer whose duty it is to enforce the game and inland fish laws.

Rationale:

Accurate data on migratory game bird harvests and hunter numbers is essential for developing annual hunting regulations and long-term harvest strategies. The HIP database establishes the sampling frame for conducting these surveys, along with surveys of hunter desires and preferences. Data from the HIP survey is factored directly into some of the existing migratory game bird harvest strategies. Incorrect or incomplete HIP information could lead to unneeded restriction in our migratory game bird hunting seasons. Federal regulations require licensed hunters to obtain a Harvest Information Program number/permit in order to hunt migratory game birds, but make no reference to hunters that are license exempt. In Virginia, hunters that are license exempt may not be included in this migratory game bird hunter database. Requiring all migratory game bird hunters, even those that are license exempt, to obtain a HIP authorization would establish a more accurate database for conducting these important surveys. VDGIF's new licensing system should make it easier for license exempt hunters to meet the HIP requirement.

4 VAC 15-80-10. Open season. [crow]

Summary:
The recommendation is to remove Sunday as a day to hunt crows and add Monday.

Proposed language of amendment:

4 VAC 15-80-10. Open season.

It shall be lawful to hunt crow on Monday, Wednesday, Friday~~,~~ and Saturday~~, and Sunday~~ of each week from the third Saturday in August through the third Friday in March, both dates inclusive.

Rationale:

Crows are considered migratory birds and therefore guidelines, or frameworks, for hunting crows are established by Federal Regulations. Federal Regulations (50 CFR Part 20.133) allow crows to be hunted for a total of 124 days with no limit on the number of season splits or breaks. Historically, the 124 days were set as 4 days each week (Mondays, Wednesdays, Fridays and Saturdays) in a season that ran from August through March.

When legislation was passed in 2014 to allow Sunday hunting in Virginia, the crow hunting season was changed so that Sundays were substituted for Mondays as days that were open for hunting crows. However several crow hunters have complained that they cannot get access to farm fields on Sundays, and they would like to go back to hunting crows on Mondays.

This proposal would change the season back to the way it was prior to the advent of Sunday hunting by substituting Mondays for Sundays as allowable days for hunting crows.

4 VAC 15-260-160. Great Hunting Creek and Dyke Marsh; floating blind area.

Summary:

This recommendation is to allow the department to designate float blind hunting areas in the Great Hunting Creek and Dyke marsh areas using GPS coordinates.

Proposed language of amendment:

4 VAC 15-260-160. Great Hunting Creek and Dyke Marsh; floating blind area.

No license shall be issued for stationary waterfowl blinds on the Potomac River in Fairfax County adjacent to National Park Service Lands in the Great Hunting Creek and Dyke Marsh areas. Waterfowl hunting in Commonwealth waters adjacent to the above mentioned lands shall be by licensed floating blind only. Such floating blinds must be attached securely to a post or buoy affixed to the river bottom by the department or anchored at global positioning system (GPS) locations designated by the department, and are limited to one floating blind per post at any time. Hunters in licensed floating blinds may hunt from designated locations during legal shooting hours on Thanksgiving Day and on Mondays, Wednesdays and Fridays during the open seasons for hunting waterfowl in Virginia. Blind sites shall be occupied on a daily first-come basis, such sites to be occupied no earlier than 4 a.m. or later than one-half hour after sunset. All such blinds shall be removed each day.

Rationale:

Fixed buoys that currently designate float blind hunting areas are often displaced from designated locations unintentionally by weather (ice and strong tides) and intentionally by waterfowl hunters. This results in time intensive relocation efforts by staff to provide this public hunting opportunity, or loss of public hunting opportunity. This recommendation will allow the department to be flexible in allowing hunting after buoys have been displaced and will allow the department to prosecute those who are moving buoys to intentionally hunt in unauthorized area.

4 VAC 15-260-15. (NEW) Reflective markers on stationary blinds.

Summary:

The recommendation is to require reflective markers on stationary waterfowl blinds that are located in the public waters. The reflective tape would be fastened to a section of PVC pipe or to a stake to create a simple and inexpensive marker that could be lowered or taken down when the blind is in use.

Recommended language

4 VAC 15-260-15. (NEW) Reflective markers on stationary blinds.

Stationary blinds located in the public waters must be marked with a stake or PVC pipe with (at least 100 square inches) of white or amber reflecting material visibly from 360 degrees and at least 3 feet above the high water mark. The requirement for reflective material on stationary blinds is not in effect while the stationary blind is occupied by a licensed hunter during legal shooting hours. In addition, any abandoned or partial blind structures must be similarly marked until such time as they are removed from the public waters.

Rationale:

Stationary blinds create a potential boating hazard when located in public waters. It is illegal for riparian blinds to be located in public waters deeper than 8 feet at mean high water, and it is illegal to place non-riparian blinds in a marked navigation channel. However, boating often occurs in water shallower than 8 feet and outside of marked navigation channels, and at night when structures such as duck blind are difficult to see. There are around 287,000 boats registered in Virginia, including 145,000 of these east of I-95 where most offshore blinds are located. There are around 3,500 stationary blind licenses sold each year and additional blinds (not required to be licensed) on the Eastern Shore. Many of these blinds are located on the public waters of the state and are often difficult to see at night. Having reflective marking on blinds would make them easier to see and would be a proactive boating safety measure.

This regulation is similar to a new law (29.1-345.2, 2016) that requires reflective markings for damaged and abandoned blinds in Virginia Beach (Back Bay). The suggested marker, a stake or PVC pipe with reflective tape, would be easy and inexpensive to make, and could be easily taken down or covered when the blind was in use. This regulation would be required of all stationary blinds on the public waters, even those in Northampton and Accomack Counties. This regulation is similar to the reflector markings required for offshore blinds and blind stakes in the state of Maryland.

4 VAC 15-260-35. Distance from a licensed stationary blind and off-shore blind stake.

Summary:

The recommendation is to rescind 4 VAC 15-260-40 and add a new regulation 4 VAC 15-260-35 to clarify that all hunting, including hunting from a float blind, hunting while standing on the bottom or any other type of hunting, is prohibited within 500 yards of any licensed stationary blind or floating blind stake.

Recommended language

~~**4VAC15-260-40. Distance between floating blind and stationary blind.**~~
~~It shall be unlawful to tie out or anchor a mat blind, or other floating blind, within 500 yards of a stationary shore or stationary water blind on which license has been paid for the season, except by the consent of the owner of such stationary shore blind or water blind, whether the same be occupied for shooting or not.~~

4 VAC 15-260-35. Distance from a licensed stationary blind and off-shore blind stake.
No person shall hunt migratory waterfowl in the public waters of this Commonwealth within 500 yards of any legally licensed erected stationary blind or legally licensed offshore blind stake site of another without possessing the written consent of the licensee that is immediately available upon request by any law enforcement officer, except when in active pursuit of a visible crippled waterfowl which was legally shot by the person.

Rationale:

The current regulation (4 VAC 15-260-40) prohibits hunting from floating blinds within 500 yards of a licensed stationary blind. In the past, hunters have understood this to mean no hunting at all within 500 yards of a licensed blind. However, the regulation does not reference hunting while standing on the natural bottom in the public water. This has not been a problem in the past as most hunters were not aware of this loophole and did not practice this type of hunting (often called body-booting). Recently however, a few hunters have discovered this technique, and have been hunted within 500 yards of legally licensed stationary blinds. Stationary blind owners have expressed concerns about safety and bird disturbance with how this practice is being conducted, and have requested we change the regulation to reflect how it has been interpreted in the past. Since few to no hunters were aware of this issue or have practiced this type of hunting, this regulation will not displace or eliminate any traditional hunting opportunity. Body-booting will still be a legal form of hunting but it will be prohibited within 500 yards of a license blind like other forms of hunting.

4 VAC 15-260-45. (NEW) Float Blind Hunting Areas Established.

Summary:

The recommendation is to create "Float Blind Hunting Areas" in the public waters in front of qualifying public lands (state, federal, and municipal properties) by prohibiting non-riparian stationary blinds in these waters. Public land agencies would "opt-in" to this program to enroll all or portions of their property, or they could choose not to opt-in and retain the hunting opportunities that currently exist in those areas. A listing of applicable properties would be published each year in the Virginia Migratory Waterfowl Hunting Supplement, VDGIF website and other potential outlets.

Recommended language:

4 VAC 15-260-45. (NEW) Float Blind Hunting Areas Established.
No licenses shall be issued for non-riparian stationary waterfowl blinds or offshore blind stake sites in the public waters in front of specified public, municipal, state, or federal properties in Virginia. Waterfowl hunting in public waters in front of these lands shall be by licensed floating blind only and shall occur only in designated waters, at designated times and locations as prescribed by the riparian landowner and approved by the Virginia Department of Game and Inland Fisheries. This regulation applies to areas where the managing agency has requested such in writing to the VDGIF by April 1 of any given year. These privileges will remain in effect until the managing agency requests termination in writing to the VDGIF by April 1 of any given year. This regulation shall not alter in any respect the privileges for landowners, and their lessees and permittees prescribed in 29.1-344 and 29.1-347 of the code of Virginia.

Rationale:

Public landholding agencies may not be willing or able to build and maintain stationary blinds, but are often willing to provide public float blind hunting opportunities on the public waters in front of their properties. Non-riparian blinds often get licensed in these areas and limit the amount of public hunting opportunities. Some state agencies are interested in developing regulations to prevent non-riparian stationary blinds in their riparian zones, and possibly eliminate all waterfowl hunting. This regulation would make it easier for public landholding agencies to provide float blind hunting opportunities without having to build permanent structures or create separate regulations for each individual property. The VDGIF would work with the landholding agency to insure that the public hunting opportunities are adequate prior to approving any float blind hunting plan.

Many float blind hunters are asking for increased access to public water hunting areas. This regulation could increase public waterfowl hunting opportunity in eastern Virginia, while also making it easier to manage public hunting opportunities on and adjacent to State Wildlife Management Areas.

4 VAC 15-260-115. (NEW) Disturbing waterfowl on Kittewan Creek Refuge in Charles City County.

Summary:

The recommendation is to establish a regulation that will support the restrictions identified in the deed to the Kittewan Creek Refuge property owned by the agency.

Recommended language:

4 VAC 15-260-115. (NEW) Disturbing waterfowl on Kittewan Creek Refuge in Charles City County.

It shall be unlawful to hunt on the waters of Kittewan Creek, in Charles City County, west (upstream) of the posted refuge boundary markers (Lat-Long Coordinates 37.29831, -77.05134) located approximately 1 mile upstream from its mouth at the James River. In addition, camping and other recreational activities that are not consistent with the property's function as a refuge for waterfowl are not permitted.

Rationale:

When acquired by the department, the Kittewan Creek property was under specific deed restrictions. These restrictions specify that the property is to be used as a refuge for waterfowl, that no hunting or killing of waterfowl is allowed, and that camping or recreational activities inconsistent with the property's function as a refuge for waterfowl are not be allowed. However, these deed restrictions are difficult to enforce because Kittewan Creek is navigable public waters. Signs posting the property as a refuge have generally kept hunters from entering the property. However, in the past year, some hunters have challenged the refuge designation and have hunting in the refuge. The former owners (and current neighbors) are requesting that if water hunting continues, the property revert back to their ownership as specified in the deed. It is difficult to enforce the property deed restrictions without a specific regulation that prohibits these activities on the public waters of Kittewan Creek.

The Kittewan refuge has significant value as a waterfowl refuge, generally wintering 3,000-4,000 Canada geese and 500 or more ducks. Little maintenance is required on the property except for maintaining posted signs that mark the refuge entrance. The refuge is surrounded by private land and in accordance with the deed, the adjacent landowners (and former owners) do not waterfowl hunt within 500 yards of the refuge. Until the limited hunting that has taken place this year, no hunting has occurring on the property for at least 30 years, so this regulation will not displace or eliminate any traditional hunting opportunity.

4 VAC 15-260-116. (NEW) Blinds adjacent to Werowocomoco and York River State Park.

Summary:

The recommendation prohibits stationary blinds in the public waters in front of National and State Parks lands on the York River.

Recommended language

4 VAC 15-260-116. (NEW) Blinds adjacent to Werowocomoco National Park and York River State Park.

No licenses shall be issued for stationary waterfowl blinds in front of Werowocomoco National Park in Purtan Bay and on the York River between Purtan Island and Barren Point in Gloucester County, and in front of York River State Park between Taskinas Creek and the eastern boundary of York River State Park in James City County. These prohibitions shall not alter the privileges prescribed in 29.1-344 and 29.1-347 of the Code of Virginia for riparian owners, their lessees and permittees.

Rationale:

Stationary blinds will interfere with future park programs being planned in the areas of the York River described above.

DEER

4 VAC 15-40-287. (NEW) Model ordinances related to feeding of deer in cities and towns.

Summary:

The proposal is to provide model ordinances for cities and towns to prohibit feeding of deer, pursuant to § 29.1-527.2.

Proposed language of amendment:

4 VAC 15-40-287. (NEW) Model ordinances related to feeding of deer in cities and towns.

A. Pursuant to § 29.1-527.2 of the Code of Virginia, it shall be unlawful for any person to place, distribute, or allow the placement of food, salt, minerals, or similar substances to feed or attract deer at any time.

B. No person shall continue to place, distribute, or allow the placement of food, salt, mineral, or similar substances for any purpose if the placement of these materials results in presence of deer.

C. No part of this ordinance shall be construed to restrict agricultural, commercial, noncommercial, or residential plantings (including wildlife food plots); bona fide distribution of food to livestock; or wildlife management activities conducted or authorized by the Department of Game and Inland Fisheries.

Rationale:

In 2016 the General Assembly passed § 29.1-527.2 which authorizes cities and towns to prohibit the feeding of deer and which states that the "Department shall make available to localities a model ordinance suggested for use by localities." Several localities have already inquired about this ordinance. This proposed regulation is modeled after existing regulations regarding the feeding of deer and bear (i.e., 4 VAC 15-40-282, 4 VAC 15-40-285).

4 VAC 15-90-70. Archery Hunting. [deer]

Summary:

The proposal is to allow the use of a slingbow for deer hunting during all archery deer hunting seasons (early, late, urban archery, and NOVA April archery deer seasons). We recommend these changes have an effective date of July 1, 2017 to ensure consistency with he bill's effective date.

Proposed language of amendment:

4 VAC 15-90-70. Archery Hunting.

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

B. In addition to the season provided in subsection A of this section, it shall be lawful to hunt deer during the late special archery season with archery equipment or a slingbow from the Sunday following the close of the general firearms season on deer through the first Saturday in January, both dates inclusive, in all cities, towns, and counties west of the Blue Ridge Mountains (except Clarke County and on non-national forest lands in Frederick County) and in the counties (including the cities and towns within) of Amherst (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River), Bedford, Franklin, Henry, Nelson (west of Route 151), Patrick and on the Chester F. Phelps Wildlife Management Area and on national forest lands in Frederick County and from December 1 through the first Saturday in January, both dates inclusive, in the cities of Chesapeake, Suffolk (east of the Dismal Swamp Line), and Virginia Beach.

C. Deer of either sex may be taken full season during the special archery seasons as provided in subsections A and B of this section (except on PALS (Public Access Lands) in Dickenson County where it shall be unlawful to take antlerless deer during the special archery seasons provided for in subsections A and B of this section).

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

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

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

in January through the last Sunday in March, both dates inclusive, within the incorporated limits of any city or town in the Commonwealth (except on national forest and department-owned lands) and counties with a human population density of 300 persons per square mile or more (except on national forest and department-owned lands), provided that its governing body submits by certified letter to the department prior to April 1, its intent to participate in the special urban archery season. Any city, town, or county no longer participating in this season shall submit by certified letter to the department prior to April 1 notice of its intent not to participate in the special urban archery season.

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

Rationale:

House Bill 1938 (Slingbow Hunting) directs the Department to allow the use of a slingbow for deer hunting during all archery deer hunting seasons (early, late, urban archery, and NOVA April archery deer seasons). Slingbows are not allowed for the hunting or killing of bear or elk.

4 VAC 15-90-80. Muzzleloading Gun Hunting. [deer]

Summary:

The proposal is to (i) increase the number of either-sex deer hunting days to full season on private land in Pulaski County during both the early and late muzzleloading deer season, (ii) increase the number of either-sex deer hunting days to full season on private land in Scott County during the early muzzleloading deer season, (iii) create one either-sex deer hunting day (the second Saturday) on the Highland WMA during the early muzzleloading deer season, (iv) make the either-sex deer hunting days on the Channels State Forest and Hungry Mother State Park the same as the other public lands in Russell, Smyth, and Washington counties during the early (buck only) and late muzzleloading deer season (one/last day), (v) give all of Dickenson County one either-sex deer hunting day during the late muzzleloading deer season (last day), (vi) reduce the number of either-sex deer hunting days from six to one (the last day) on National Forest and Department-owned lands in Bland, Carroll, Craig, Giles, Montgomery, Pulaski, Roanoke, and Wythe counties during the late muzzleloading deer season, and (vii) change the minimum muzzleloading gun saboted bullet projectile size from .38 to .35 caliber.

Proposed language of amendment:

4 VAC 15-90-80. Muzzleloading Gun Hunting.

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

B. It shall be lawful to hunt deer during the late special muzzleloading season with muzzleloading guns starting 21 consecutive days immediately prior to and on the first Saturday in January, in all cities, towns, and counties west of the Blue Ridge Mountains (except Clarke County and on non-national forest lands in Frederick County), and east of the Blue Ridge Mountains in the counties (including the cities and towns within) of Amherst (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River), Bedford, Franklin, Henry, Nelson (west of Route 151), Patrick and on national forest lands in Frederick County and in the cities of Chesapeake, Suffolk (east of the Dismal Swamp Line), and Virginia Beach.

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

1. Deer of either sex may be taken on the second Saturday only of the early special muzzleloading season on state forest lands, state park lands (except Occoneechee State Park), department-owned lands (except on Merrimac Farm Wildlife Management Area) and Philpott Reservoir.

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

D. Deer of either s2ex may be taken on the second Saturday only during the early special muzzleloading season west of the Blue Ridge Mountains unless otherwise noted below:

1. Deer of either sex may be taken during the entire early special muzzleloading season in Clarke and Floyd counties and on private lands in Carroll, Frederick, Grayson, Montgomery, Pulaski, Roanoke, Scott, Shenandoah, and Warren counties.

2. Deer of either sex may be taken on the second Saturday and the last five days of the early muzzleloading season on private lands in Botetourt County.

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

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

1. Deer of either sex may be taken full season during the entire late special muzzleloading season in the counties (including the cities and towns within) of Amherst (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River, except on national forest lands), Bedford (except on national forest lands), Floyd, Franklin, Henry, Nelson (west of Route 151, except on national forest lands), and Patrick and on private lands in Carroll, Grayson, Montgomery, Pulaski, Roanoke, Shenandoah, and Warren counties.

2. Deer of either sex may be taken the last day only during the late special muzzleloading season in Alleghany, Bath, Dickenson ~~(north of Route 83)~~, Highland, Lee, Russell, Tazewell, and Wise counties and on national forest lands in Amherst, Bedford, Bland, Craig, Frederick, Giles, Grayson, Montgomery, Nelson, Page, Pulaski, Rockingham, Scott, Shenandoah, and Warren counties, and on national forest and department-owned lands in Augusta, Botetourt, Carroll, Roanoke, Rockbridge, Smyth, ~~and~~ Washington, and Wythe counties and on private lands west of Routes 613 and 731 in Rockingham County, Channels State Forest, Grayson Highlands State Park, and Hungry Mother State Park.

3. Antlered bucks only—no either-sex deer hunting days during the late special muzzleloading season in Buchanan and Dickenson (south of Route 83).

F. Deer of either sex may be taken full season during the special muzzleloading seasons within the incorporated limits of any city or town in the Commonwealth that allows deer hunting except in the counties of Buchanan, Dickenson, and Wise.

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

H. A muzzleloading gun, for the purpose of this section, means a single shot weapon, .45 caliber or larger, firing a single projectile or sabot (with a .3~~8~~5 caliber or larger projectile) of the same caliber loaded from the muzzle of the weapon and propelled by at least 50 grains of black powder (or black powder equivalent or smokeless powder).

I. It shall be unlawful to have in immediate possession any firearm other than a muzzleloading gun while hunting with a muzzleloading gun in a special muzzleloading season. c

Rationale:

Increasing the number of either-sex deer hunting on private land in Pulaski County during both the early and late muzzleloading deer seasons

The Deer Management Plan calls for a deer herd reduction on private land in Pulaski County. Over the past five years the deer population has been high and demonstrated an increasing trend. Deer management staff in southwest Virginia feels that more either-sex deer hunting opportunity is needed and warranted on private land in Pulaski County at this time.

Increasing the number of either-sex deer hunting days on private land in Scott County during the early muzzleloading season

The Deer Management Plan calls for a deer herd reduction on private land in Scott County. Over the past decade, the deer population index has remained high and stable. Deer management staff in southwest Virginia feels that more either-sex deer hunting opportunity is needed and warranted on private land in Scott County at this time.

Channels State Forest and Hungry Mother State Park

Channels State Forest and Hungry Mother State Park currently have different either-sex deer hunting days that the other public lands in the counties in which they are located in during the early and late muzzleloading deer seasons. The regulation change recommended will make both properties the same as the other public lands (e.g., buck only during the early muzzleloading deer season and one day (the last day) during the late muzzleloading deer season).

Highland WMA

Deer browse pressure continues to impact forest regeneration and other understory vegetation, which is detrimental to wildlife management activities. The proposal will add modest antlerless harvest opportunities on the WMA.

Reducing the number of either-sex deer hunting days on National Forest and Department-owned lands in Bland, Carroll, Craig, Giles, Montgomery, Pulaski, Roanoke, and Wythe counties during the late muzzleloading season

Over the past twenty plus years, the Department has seen a significant decline (~60%) in the deer kill on western public lands (e.g., National Forest and Department-owned lands). To address these declines the Department has significantly reduced public land either-sex deer hunting opportunities. Dropping the number of either-sex deer hunting days during the late muzzleloading deer season from six to one (the last day) in the eight counties listed above will create a consistent late muzzleloading deer season last day of the season either-sex deer hunting day on all National Forest and Department-owned lands west of the Blue Ridge Mountains.

Changing the minimum muzzleloading gun deer hunting projectile size

The current minimum muzzleloading rifle saboted projectile size is .38 caliber or larger. Popular commercially available saboted projectiles for use in 45 and 50 caliber muzzleloading rifles range from .357 to .45 (https://www.prbullet.com/pts.htm). This change will make the use of these .357 saboted projectiles legal for muzzleloading deer hunting in Virginia.

4 VAC 15-90-89. Earn a buck (EAB).

Summary:

The proposal is to require that antlerless deer must be taken before multiple bucks may be taken during the license year (i) on private lands in Fauquier County (ii) on private lands in Montgomery County, and (iii) any town or city (except Chesapeake, Suffolk, and Virginia Beach).

Proposed language of amendment:

4 VAC 15-90-89. Earn a buck (EAB).

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

Arlington County ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer in Arlington County prior to taking at least two antlerless deer in Arlington County, and it shall be unlawful to take a third antlered deer in Arlington County prior to taking at least three antlerless deer in Arlington County.

Bedford County on private lands ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer on private lands in Bedford County prior to taking at least one antlerless deer on private lands in Bedford County, and it shall be unlawful to take a third antlered deer on private lands in Bedford County prior to taking at least two antlerless deer on private lands in Bedford County.

Clarke County on private lands ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer on private lands in Clarke County prior to taking at least one antlerless deer on private lands in Clarke County.

Fairfax County ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer in Fairfax County prior to taking at least two antlerless deer in Fairfax County, and it shall be unlawful to take a third antlered deer in Fairfax County prior to taking at least three antlerless deer in Fairfax County.

Fauquier County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Fauquier County prior to taking at least one antlerless deer on private lands in Fauquier County, and it shall be unlawful to take a third antlered deer on private lands in Fauquier County prior to taking at least two antlerless deer on private lands in Fauquier County.

Frederick County on private lands ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer on private lands in Frederick County prior to taking at least one antlerless deer on private lands in Frederick County.

Loudoun County ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer in Loudoun County prior to taking at least two antlerless deer in Loudoun County, and it shall be unlawful to take a third antlered deer in Loudoun County prior to taking at least three antlerless deer in Loudoun County.

Montgomery County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Montgomery County prior to taking at least one antlerless deer on private lands in Montgomery County.

Prince William County except on Department of Defense lands ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer in Prince William County (except on Department of Defense lands) prior to taking at least two antlerless deer in Prince William County (except on Department of Defense lands), and it shall be unlawful to take a third antlered deer in Prince William County (except on Department of Defense lands) prior to taking at least three antlerless deer in Prince William County (except on Department of Defense lands).

Rappahannock County ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer in Rappahannock County prior to taking at least one antlerless deer in Rappahannock County, and it shall be unlawful to take a third antlered deer in Rappahannock County prior to taking at least two antlerless deer in Rappahannock County.

Roanoke County on private lands ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer on private lands in Roanoke County prior to taking at least one antlerless deer on private lands in Roanoke County.

Warren County on private lands ~~(including the cities and towns within)~~. During a license year, it shall be unlawful to take a second antlered deer on private lands in Warren County prior to taking at least one antlerless deer on private lands in Warren County.

Cities and towns. During a license year in any town or city (except Chesapeake, Suffolk, and Virginia Beach) east of the Blue Ridge Mountains, it shall be unlawful to take a second antlered deer prior to taking at least one antlerless deer, and it shall be unlawful to take a third antlered deer prior to taking at least two antlerless deer. During a license year in any town or city west of the Blue Ridge Mountains, it shall be unlawful to take a second antlered deer prior to taking at least one antlerless deer.

Rationale:

i) Fauquier County. Despite having full-season either-sex hunting opportunities, deer herds have stabilized at a high density in this county, contrary to the objective (reduce) in the 2015-2024 Deer Management Plan. Reestablishing EAB will incentivize the harvest of antlerless deer and should result in a decrease in the deer population.

ii) Montgomery County. Despite having full-season either-sex hunting opportunities in all seasons, deer herds have stabilized at a high density in this county, contrary to the

objective (reduce) in the 2015-2024 Deer Management Plan. Establishing EAB will incentivize the harvest of antlerless deer and should result in a decrease in the deer population.

iii) Cities and towns. This proposal will incentivize the harvest of antlerless deer in urban areas. As stated in the 2015-2024 Deer Management Plan, "for most cities and other highly urbanized areas, the objective is almost always to decrease the deer population." Deer populations are most effectively controlled with a sufficient harvest of female deer. Currently, muzzleloading (4VAC15-90-80) and firearms (4VAC15-90-91) regulations allow antlerless deer to be taken any day of the season within the incorporated limits of any city or town where deer hunting is allowed (except Chesapeake, Suffolk, and Virginia Beach). Currently, 41 cities and towns participate in the special urban archery season, wherein the primary objective is to increase the harvest of antlerless deer. Despite these liberal opportunities, female deer represented only 50% of the aggregate harvest in all cities and towns in Virginia during the 2015-16 seasons. Recent communications with officials in participating urban archery localities reveal strong support for greater hunter incentives to take additional antlerless deer. An EAB requirement would also promote antlerless harvest in the few cities and towns that allow deer hunting but that do not participate in the urban archery season. The EAB regulation has led to significant increases in antlerless harvests in the counties where it has been in effect.

4 VAC 15-90-91. General Firearms Season Either-Sex Deer Hunting Days.

Summary:

As outlined in the table below, the proposal is to (i) reduce the number of firearms either-sex deer hunting days on private lands in 14 counties and increase the number of firearms either-sex deer hunting days on private lands in one county, (ii) reduce the number of firearms either-sex deer hunting days on National Forest and Department-owned lands in 15 western counties, (iii) reduce the number of firearms either-sex deer hunting days on the Big Woods Wildlife Management Area, Parkers Branch Tract, and the Big Woods State Forest properties in Sussex County, and (iv) increase the number of firearms either-sex deer hunting days on the Highland Wildlife Management Area in Highland County. The proposal is also to (v) make firearms either-sex deer hunting opportunities consistent (buck only) on the Stewart and Carlisle tracts of the Hog Island WMA, (vi) remove the reference to a parcel restriction in Fairfax County, and (vii) replace a current firearms either-sex day deer hunting framework (the second, third, and fourth Saturdays and the last 27 days) with a simpler framework (the second and third Saturdays and the last 29 days).

City/County/WMA	Change	Current	Proposed
Private Land			
Caroline	Decrease	15	8
Charles City	Decrease	30	15
Chesterfield	Decrease	15	8
Essex	Decrease	30	8
Greensville	Decrease	50 (full)	8
Halifax	Decrease	30	15
King and Queen	Decrease	15	8
King George	Decrease	50 (full)	31
King William	Decrease	15	8
Lancaster	Decrease	50 (full)	31
New Kent	Decrease	30	15
Northumberland	Decrease	50 (full)	31
Richmond	Decrease	50 (full)	31
Rockingham (eastern)	Increase	7	15 (full)
Westmoreland	Decrease	50 (full)	31
Public Land			
Alleghany	Decrease	1	0
Amherst	Decrease	1	0
Augusta	Decrease	1	0
Bath	Decrease	1	0

City/County/WMA	Change	Current	Proposed
Bedford	Decrease	1	0
Botetourt	Decrease	1	0
Frederick	Decrease	1	0
Highland (National Forest)	Decrease	1	0
Highland (WMA)	Increase	1	2
Nelson	Decrease	1	0
Page	Decrease	1	0
Roanoke	Decrease	1	0
Rockbridge	Decrease	1	0
Rockingham	Decrease	1	0
Shenandoah	Decrease	1	0
Sussex (Big Woods WMA, Parkers Branch Tract, and Big Woods State Forest)	Decrease	50	8
Warren	Decrease	1	0

Proposed language of amendment:

4 VAC 15-90-91. General Firearms Season Either-Sex Deer Hunting Days.

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

Accomack County: full season.
Albemarle County: full season.
Alleghany County: the second Saturday and the last day.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Amelia County: the second and third Saturdays and the last 13 days.
-Amelia WMA: the second and third Saturdays and the last six days.
Amherst County (east of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River): the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Amherst County (west of Business U.S. 29 from the James River to its intersection with U.S. 29 just south of the Town of Amherst continuing north on U.S. 29 to the Tye River): full season.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Appomattox County: the second and third Saturdays and the last six days.
-Appomattox-Buckingham State Forest: the second and third Saturdays.
-Featherfin WMA: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Arlington County: full season.
Augusta County: the second Saturday and the last six days.
-National forest and department-owned lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~

Bath County: the second Saturday and the last day.
-National forest and department-owned lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Bedford County: full season.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Bland County: the second Saturday and the last day.
-National forest lands: the second Saturday and the last day.
Botetourt County: full season.
-National forest and department-owned lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Brunswick County: the second and third Saturdays and the last six days.
Buchanan County: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Buckingham County: the second and third Saturdays and the last six days.
-Horsepen Lake WMA: the second and third Saturdays and the last six days.
-Appomattox-Buckingham State Forest: the second and third Saturdays.
-Featherfin WMA: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Campbell County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Caroline County: the second and third Saturdays and the last six~~13~~ days.
-Mattaponi WMA: the second and third Saturdays and the last six days.
Carroll County: full season.
-National forest and department-owned lands: the second Saturday and the last day.
Charles City County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 13~~27~~ days.
-Chickahominy WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Charlotte County: the second and third Saturdays and the last six days.
Chesapeake (City of): the second and third Saturdays and the last 13 days.
Chesterfield County: the second and third Saturdays and the last six~~13~~ days.
Clarke County: full season.
Craig County: full season.
-National forest lands: the second Saturday and the last day.
Culpeper County: full season.
-Chester F. Phelps WMA: the second Saturday and the last day.
Cumberland County: the second and third Saturdays and the last 13 days.
-Cumberland State Forest: the second and third Saturdays.
Dickenson County: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Dinwiddie County: the second and third Saturdays and the last six days.
Essex County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last six~~27~~ days.
Fairfax County: full season~~ (restricted to certain parcels of land by special permit)~~.
Fauquier County: full season.
-G. Richard Thompson WMA: the second Saturday and the last day.
-Chester F. Phelps WMA: the second Saturday and the last day.
Floyd County: full season.
Fluvanna County: second and third Saturdays and the last 13 days.

Franklin County: full season.
-Philpott Reservoir: the second Saturday and the last six days.
-Turkeycock Mountain WMA: the second Saturday and the last six days.
Frederick County: full season.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Giles County: full season.
-National forest lands: the second Saturday and the last day.
Gloucester County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Goochland County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Grayson County: full season.
-National forest lands and Grayson Highlands State Park: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Greene County: full season.
Greensville County: the second and third Saturdays and the last six days ~~full season~~.
Halifax County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 13~~27~~ days.
Hanover County: full season.
Henrico County: full season.
Henry County: the second and third Saturdays and the last 13 days.
-Fairystone Farms WMA, Fairystone State Park, and Philpott Reservoir: the second Saturday and the last six days.
-Turkeycock Mountain WMA: the second Saturday and the last six days.
Highland County: the second Saturday and the last day.
-National forest: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~and~~
- D~~d~~epartment-owned lands: the second Saturday and the last day.
Isle of Wight County: full season.
-Ragged Island WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
James City County: full season.
King and Queen County: the second and third Saturdays and the last six~~13~~ days.
King George County: the second and third Saturdays and the last 29 days ~~full season~~.
King William County: the second and third Saturdays and the last six~~13~~ days.
Lancaster County: the second and third Saturdays and the last 29 days ~~full season~~.
Lee County: the second Saturday and the last two days.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Loudoun County: full season.
Louisa County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Lunenburg County: the second and third Saturdays and the last six days.
Madison County: full season.
-Rapidan WMA: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Mathews County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Mecklenburg County: the second and third Saturdays and the last six days.
-Dick Cross WMA: the second and third Saturdays and the last six days.
Middlesex County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.

Montgomery County: full season.
-National forest lands: the second Saturday and the last day.
Nelson County (east of Route 151): the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
-James River WMA: the second Saturday and the last six days.
Nelson County (west of Route 151): full season.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
New Kent County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 13~~27~~ days.
Northampton County: full season.
Northumberland County: the second and third Saturdays and the last 29 days ~~full season~~.
Nottoway County: the second and third Saturdays and the last six days.
Orange County: full season.
Page County: the second Saturday and the last two days.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Patrick County: the second and third Saturdays and the last 13 days.
-Fairystone Farms WMA, Fairystone State Park, and Philpott Reservoir: the second Saturday and the last six days.
Pittsylvania County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
-White Oak Mountain WMA: the second Saturday and the last day.
Powhatan County: the second and third Saturdays and the last 13 days.
-Powhatan WMA: the second and third Saturdays and the last 13 days.
Prince Edward County: the second and third Saturdays and the last six days.
-Briery Creek WMA: the second and third Saturdays and the last six days.
-Featherfin WMA: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
-Prince Edward State Forest: the second and third Saturdays.
Prince George County: full season.
Prince William County: full season.
Pulaski County: full season.
-National forest lands: the second Saturday and the last day.
Rappahannock County: full season.
Richmond County: the second and third Saturdays and the last 29 days ~~full season~~.
Roanoke County: full season.
-National forest and department-owned lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Rockbridge County: the second Saturday and the last two days.
-National forest and department-owned lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Rockingham County: full season ~~the second Saturday and the last six days~~.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~and~~
- P~~p~~rivate lands west of Routes 613 and 731: the last day.
Russell County: the second Saturday and the last two days.
-Clinch Mountain WMA, Hidden Valley WMA, and the Channels State Forest: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.

Scott County: the second Saturday and the last six days.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Shenandoah County: full season.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Smyth County: the second Saturday and the last six days.
-National forest lands, Clinch Mountain WMA, and Hungry Mother State Park: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Southampton County: full season.
Spotsylvania County: the second~~,~~ and third~~, and fourth~~ Saturdays and the last 29~~7~~ days.
Stafford County: full season.
Suffolk (east of the Dismal Swamp Line): the second and third Saturdays and the last 13 days.
Suffolk (west of the Dismal Swamp Line): full season.
Surry County: full season.
-Carlisle and Stewart t~~T~~racts of the Hog Island WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Sussex County: full season.
-Big Woods WMA, Parkers Branch Tract, and Big Woods State Forest: the second and third Saturdays and the last six days.
Tazewell County: the second Saturday and the last two days.
-National forest lands and Clinch Mountain WMA: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Virginia Beach (City of): the second and third Saturdays and the last 13 days.
Warren County: full season.
-National forest lands: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken. ~~the last day.~~
Washington County: the second Saturday and the last six days.
-National forest lands, Clinch Mountain WMA, Hidden Valley WMA, and the Channels State Forest: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Westmoreland County: the second and third Saturdays and the last 29 days ~~full season~~.
Wise County: antlered bucks only—no either-sex days. Only deer with antlers above the hairline may be taken.
Wythe County: full season.
-National forest lands and Big Survey WMA: the second Saturday and the last day.
York County: full season.

B. Except as provided in the subsection A of this section, deer of either sex may be taken full season during the general firearms deer season within the incorporated limits of any city or town, state park, national wildlife refuge, or military installation that allows deer hunting.

Rationale:

(i) Changes on private lands:

Caroline County. Although antlerless opportunities have been reduced during the last two regulations cycles (2013, 2015), significant hemorrhagic disease outbreaks have impacted deer herds in this county during three of the last five years. This proposal will seek to maintain a stable deer population, as called for in the Deer Management Plan.

Charles City County. Deer populations have experienced steep declines in recent years, due to significant hemorrhagic disease outbreaks and liberal antlerless hunting opportunities. Although the objective in the Deer Management Plan is to reduce the deer populations in this county, this proposal intends to slow the rate of decline.

Chesterfield County. Deer populations have declined in recent years to a low density, due to significant hemorrhagic disease outbreaks and antlerless hunting opportunities. Although the objective in the Deer Management Plan is to reduce the deer populations in this county, this proposal intends to slow the rate of decline. The Department has received a number of complaints about very low deer herds in the southwestern portion of the county. As long as the county continues to participate in the urban archery season, landowners in the urban portions of the county will have a tool to address deer-human conflicts.

Essex County. Deer populations have declined in recent years, due to significant hemorrhagic disease outbreaks and liberal antlerless hunting opportunities. This proposal intends to stabilize the herd at a moderate population density, as called for in the Deer Management Plan.

Halifax County. This proposal intends to stabilize the deer population, as called for in the Deer Management Plan, at a moderate to low deer population density. Deer populations have demonstrated a slight decline over the last five years, although the trend is not statistically significant; the deer population trend has been stable over the last decade. In February 2017, the Halifax County Board of Supervisors passed a resolution requesting that the Department reduce the number of either-sex deer hunting days.

Greensville County. Deer populations have declined in recent years to a low-moderate density, due in part to liberal antlerless hunting opportunities. This proposal intends to stabilize the herd at a moderate population density, as called for in the Deer Management Plan. This large reduction in either-sex days addresses the deer population declines while also conforming to regulations in adjacent counties (e.g., Brunswick, Dinwiddie).

King and Queen County. Deer populations have declined in recent years, due to significant hemorrhagic disease outbreaks and liberal antlerless hunting opportunities. This proposal intends to stabilize the herd at a moderate population density, as called for in the Deer Management Plan.

King George County. Deer populations have declined in recent years, due to significant hemorrhagic disease outbreaks and liberal antlerless hunting opportunities. Although the

objective in the Deer Management Plan is to reduce the deer populations in this county, this proposal intends to slow the rate of decline.

King William County. Deer populations have declined in recent years, due to significant hemorrhagic disease outbreaks and liberal antlerless hunting opportunities. This proposal intends to stabilize the herd at a moderate population density, as called for in the Deer Management Plan.

Lancaster County. Deer populations have declined in recent years, due in part to liberal antlerless hunting opportunities. Although the objective in the Deer Management Plan is to reduce the deer populations in this county, this proposal intends to slow the rate of decline.

New Kent County. Deer populations have experienced steep declines in recent years, due to significant hemorrhagic disease outbreaks and liberal antlerless hunting opportunities. Although the objective in the Deer Management Plan is to reduce the deer populations in this county, this proposal intends to slow the rate of decline.

Northumberland County. Deer populations have declined in recent years, due in part to liberal antlerless hunting opportunities. Although the objective in the Deer Management Plan is to reduce the deer populations in this county, this proposal intends to slow the rate of decline.

Richmond County. Deer populations have declined in recent years, due in part to liberal antlerless hunting opportunities. Although the objective in the Deer Management Plan is to reduce the deer populations in this county, this proposal intends to slow the rate of decline.

Rockingham County (east of Routes 613 and 731). The private land deer population index in Rockingham County has shown an increasing trend over both the last ten year and five year timeframes. The Deer Management Plan deer population objective for deer on private land in Rockingham is to reduce the deer herd. This proposal increases firearms either-sex days to achieve this population objective and to address significant agricultural damage issues.

Westmoreland County. Deer populations have declined in recent years, due in part to liberal antlerless hunting opportunities. Although the objective in the Deer Management Plan is to reduce the deer populations in this county, this proposal intends to slow the rate of decline.

(ii) Alleghany, Amherst, Augusta, Bath, Bedford, Botetourt, Frederick, Highland (except Highland WMA), Nelson, Page, Roanoke, Rockbridge, Rockingham, Shenandoah, and Warren counties (National forest and department-owned lands). Because deer populations in these areas have declined significantly over the last decade, the 2015-2024 Virginia Deer Management Plan called for increasing deer populations. Despite conservative seasons, these populations have not rebounded, so this proposal seeks to further reduce the harvest of antlerless deer in these areas.

(iii) Sussex County (Big Woods WMA, Parkers Branch Tract, and Big Woods State Forest). This proposal is intended to reduce heavy hunting pressure and improve deer populations.

(iv) Highland County (Highland WMA). Deer browse pressure continues to impact forest regeneration and other understory vegetation, which is detrimental to wildlife management activities. The proposal will add modest antlerless harvest opportunities on the WMA, making the firearm either-sex day regulation consistent with private land in Highland County.

(v) Surry County (Stewart Tract of Hog Island WMA). To facilitate law enforcement, this proposal will make firearms either-sex hunting opportunities consistent on the Stewart and Carlisle tracts of Hog Island WMA.

(vi) Fairfax County. There is no longer a permit required for hunting. Firearms are restricted to large parcels, but no permit is needed.

(vii) Simplified either-sex day format. Replacing the current firearms either-sex day deer hunting framework (the second, third, and fourth Saturdays and the last 27 days) with a simpler framework (the second and third Saturdays and the last 29 days) creates continuity in the latter part of the season. By adding the Sunday following the fourth Saturday as an either-sex day, the proposal remedies an unnecessary, one-day pause in either-sex firearms deer hunting.

4 VAC 15-90-280. Sale of Hides. [deer]

Summary:

The proposal is to allow for the buying and selling of specified deer parts, items made from these deer parts, and deer mounts.

Proposed language of amendment:

4 VAC 15-90-280. Sale of ~~Hides~~ Deer Parts and Deer Mounts.

~~It shall be lawful to sell hides and hooves from any legally taken deer.~~ Provided that no extraneous muscle tissue is attached, it shall be lawful to purchase or sell the hair, hide, tail, sinew, skull, antlers, bones, and feet of a legally possessed deer carcass or deer carcass part, any products made from these deer parts, and deer mounts.

Rationale:

The sale of wildlife parts was an issue in several bills submitted during last year's General Assembly session. Ultimately, authority to regulate the sale of wildlife parts was passed along to the Department with an expectation that the Department would promulgate regulations pertaining to some of the issues that have come up in the past.

The proposal above is not a major change. Current code and regulation allows for the sale of the hide (which would include the hair and tail) and hooves, most items made of deer antlers (e.g., pens, knife handles, lamps, chandeliers, etc.), and antlers and deer mounts that have undergone the "taxidermy process" when sold through a licensed auction.

4 VAC 15-90-291. Enclosed or fenced areas that prevent or impede the free egress of deer.

Summary:

The proposal is to remove the provision in this regulation for intervals of fencing, and associated gaps, that have attributes inconsistent with other requirements in this regulation.

Proposed language of amendment:

4 VAC 15-90-291. Enclosed or fenced areas that prevent or impede the free egress of deer.

A. Pursuant to § 29.1-525.1 A and B of the Code of Virginia, an enclosed or fenced area having any of the following attributes shall be deemed to prevent or impede the free egress of deer:

1. A fence greater than 61 inches high anywhere along its entire length;

2. A fence greater than 61 inches high that incorporates any topographic or other physical barrier that prevents or impedes the free egress of deer;

3. A fence or other barrier 61 inches or less in height having any attribute that prevents or impedes the free egress of deer, including but not limited to being slanted, doubled, offset, or electrified; or

~~4. A fence or other barrier, having any of the attributes described in subdivision 1, 2, or 3 of this section that does not have a permanent gap of at least 40 linear feet per every 660 linear feet (1/8 mile) along the fence or barrier, including an additional permanent gap of at least 40 linear feet at every inside angle in the fence or barrier of less than 120 degrees. For the purposes of this section, a gap is defined as an interruption in the fence or barrier devoid of impediment.~~

B. This subsection shall not apply to enclosures and lands exempted under § 29.1-525.1 C and D of the Code of Virginia.

C. The director or his designee may grant exceptions for an enclosed or fenced area having any of the above attributes where necessary for bona fide agricultural livestock operations.

Rationale:

This proposal removes a potential loophole for the construction of “partial” high fences that could compromise the intent and effectiveness of this regulation. The provision to be struck from this regulation is no longer necessary, leads to confusion, and may encourage a landowner to erect portions of a fence that impedes the egress of deer. Further, as strictly interpreted, the requirement for permanent gaps in such a fence would render it ineffective in meeting the stated objectives of most inquiring landowners. Current provisions (i.e., a fence 61” high) adequately address deterrence of hunting dogs or human trespassers while still allowing for free egress of deer. Landowners who have constructed fences 61” high or less per staff guidance under this regulation have reported positive experiences.

4 VAC 15-90-294. Rehabilitation of cervids.

Summary:

The proposal is to authorize permitted rehabilitators to transport and temporarily possess adult deer or elk solely for the purpose of immediate humane dispatch.

Proposed language of amendment:

4 VAC 15-90-294. Rehabilitation of cervids.

A. For the purposes of this section:

"Juvenile" means any cervid less than one year of age on December 31 of the current calendar year.

"Adult" means any cervid greater than one year of age on December 31 of the current calendar year.

B. No person permitted by the department to rehabilitate cervids may ~~transport, possess,~~ rehabilitate~~,~~ or release adult cervids. Rehabilitators permitted by the department may transport and temporarily possess adult cervids solely for the purpose of immediate humane dispatch but must notify the department immediately after the deer has been dispatched.

C. Juvenile cervids requiring continued rehabilitation beyond December 31 of the current calendar year shall not be transported, possessed, released, or rehabilitated without written authorization from the department.

D. Cervids that originate within an area designated by the department for disease management shall not be transported or possessed for the purposes of rehabilitation. If such a cervid is brought to a rehabilitator permitted by the department, the permittee shall hold the cervid in isolation and immediately notify the department.

E. Cervids from any county (including the cities and towns therein) containing an area designated by the department for cervid disease management may be rehabilitated and released in the county of origin only if the cervid originated from a portion of the county outside the disease management area.

Rationale:

This proposed change maintains the intent of the original regulation to prevent the rehabilitation and release of *adult* deer or elk, while also enabling permitted rehabilitators to assist with humane dispatch of sick or injured adult deer or elk. Without this change, permitted rehabilitators are prevented from assisting with the resolution of such cases. When Department staff or local animal control officers are either not available or not contacted, permitted rehabilitators may be the best qualified persons available to assist in rapid and responsible dispatch of injured or sick adult cervids. The prohibition on rehabilitation and release of adult cervids remains appropriate: adult deer or elk can rarely be returned to the wild with a good prognosis for survival and they cannot be moved to permitted captive deer facilities due to

disease transmission risks. Timely and humane dispatch is therefore the only option for handling diseased or injured adult deer.

4 VAC 15-270-96. (NEW) pneumatic rifles for hunting deer, prohibited for hunting bear and elk.

Summary:

The proposal is (i) set a minimum caliber for pneumatic (air) rifles for deer hunting and (ii) prohibit their use for hunting of bear or elk.

Proposed language of amendment:

4 VAC 15-270-96. Pneumatic rifles for hunting deer, prohibited for hunting bear and elk.

Pneumatic (air or gas) rifles must be at least .35 caliber or larger for the hunting or killing of deer. Pneumatic rifles are prohibited for the hunting or killing of bear and elk.

Rationale:

Over the past several years the Department has received a number of questions asking if air rifles are legal for deer hunting in Virginia. The current answer is yes. According to §29.1-519 the hunting of all wild birds and wild animals with an air rifle is allowed unless expressly prohibited. The only restriction related to deer hunting with air rifles is the current .23 caliber restriction that was written for modern centerfire rifles and dates back to fall 1946-47 (4 VAC 15-270-10).

In recent years there have been numerous models of large-caliber air rifles (.35, .40, .45, and .50 calibers) that have generated interest in their use for deer hunting, particularly in areas where the discharge of explosive propellant firearms is prohibited. As noted above, current Department regulation does not prohibit their use for big game species (bear, deer and elk) if they are .23 caliber or larger. A typical .25 caliber air rifle generates approximately half the muzzle energy of a .22 LR rimfire from a rifle-length barrel. However, most of the .35 to .50 caliber air rifle models produced as of 2016 have muzzle energies similar to a .38 Special load and the most powerful air rifles (50 caliber) have muzzle energies equivalent to a .357 Magnum.

Because their use in humanely and effectively taking deer at pistol distances has been documented and demonstrated by the hunting and air rifle marketing community, staff feels that air rifles should be allowed for deer hunting if they are greater than or equal to .35 caliber. This .35 caliber minimum would also match the new .35 caliber muzzleloading saboted projectile regulation being proposed.

Due to their greater mass and tougher body construction, staff does not feel that air rifles should be lawful for the hunting or killing of black bear or elk.

VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES

2017-2018
MIGRATORY GAME BIRD HUNTING SEASONS – FEDERAL FRAMEWORKS AND STAFF RECOMMENDATIONS

Prepared by Bureau of Wildlife Resources
February 2017

VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES

PRELIMINARY FEDERAL FRAMEWORKS, AND STAFF PROPOSALS FOR 2017-18 MIGRATORY GAMEBIRD HUNTING SEASONS

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Doves

Mourning Dove Background Information and Population Status

There are three dove management units (or flyways) across the country, including the Eastern (EMU), Central (CMU) and Western (WMU) Management Units. Virginia is in the EMU.

- Population trends in the EMU based on the Breeding Bird Survey (BBS):
  10-yr (2006-2015): stable population trend.
  Long term (1966-2015): increasing trend.

- Dove Banding Study – Annual program (since 2003) to leg-band over 500 doves annually in VA, and nearly 33,000 nationwide. Data provides estimates of movements, survival and harvest rates that are used to develop hunting regulations.

- Harvest Strategy: A new Harvest Strategy adopted in 2014 allowed an increase from 70 to 90 days of hunting for doves in the Standard Regulatory Package. Daily bag limit remains at 15 birds (increased from 12 in 2009).

- Data from HIP (past 3-yr avg.): Hunters = 16,600 Harvest = 213,900

Recent Seasons

Year	Season Dates (all 70 days until extended to 90 days in 2014-15)		
2016-2017	Sept. 3 – Oct. 30	Nov. 19 – Nov. 27	Dec. 24 – Jan. 15
2015-2016	Sept. 5 – Nov. 1	Nov. 21 – Nov. 29	Dec. 24 – Jan. 15
2014-2015	Sept. 1 – Oct. 31	Nov. 22 – Nov. 30	Dec. 27 – Jan. 15
2013-2014	Sept. 2 – Oct. 14	Oct. 19 – Nov. 2	Dec. 31 – Jan. 11
2012-2013	Sept. 1 – Oct. 13	Oct. 17 – Oct. 27	Dec. 28 – Jan. 12
2011-2012	Sept. 3 – Oct. 10	Oct. 25 – Nov. 5	Dec. 26 - Jan. 14
2010-2011	Sept. 4 – Oct. 11	Oct. 20 – Nov. 6	Dec. 27 – Jan. 8
2009-2010	Sept. 5 - 26	Oct. 7 – Nov. 7	Dec. 25 – Jan. 9
2008-2009	Sept. 1 - 27	Oct. 4 – Oct. 31	Dec. 27 – Jan. 10
2007-2008	Sept. 1 – 29	Oct. 5 – Oct 27	Dec. 26 – Jan. 12
2006-2007	Sept. 2 – 23	Oct. 7 – Nov. 4	Dec. 28 – Jan. 15
2005-2006	Sept. 3 – 24	Oct. 8 – Nov. 5	Dec. 27 – Jan. 14
2004-2005	Sept. 4 – 25	Oct. 9 – Nov. 6	Dec. 28 – Jan. 15
2003-2004	Sept. 1 – 27	Oct. 8 – Nov. 8	Dec. 31 – Jan. 10
2002-2003	Sept. 2- 28	Oct. 9 – Nov. 9	Jan. 1 – Jan. 11
2001-2002	Sept. 1 - 29	Oct 13 – Nov. 10	Dec. 29 – Jan. 9
2000-2001	Sept. 2 – 30	Oct 7 – Nov. 4	Dec. 30 – Jan. 10
1999-2000	Sept. 4 – 25	Oct. 2 – Nov. 6	Dec. 25 – Jan. 5
1998-1999	Sept. 5 - 26	Oct. 3 – Nov. 3	Dec. 25 – Jan. 9
1997-1998	Sept. 1 – 27	Oct. 4 – Nov. 1	Dec. 24 – Jan. 6
1996-1997	Sept. 2 - 28	Oct. 4 - Nov. 2	Dec. 23 - Jan. 4
1995-1996	Sept. 2 - 30	Oct. 2 - Oct. 31	Dec. 23 - Jan. 2
1994-1995	Sept. 3 - 30	Oct. 1 - Oct. 29	Dec. 26 - Jan. 7

DOVE

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1, 2017 - January 15, 2018
Hunting dates may run consecutively or be split into no more than three (3) segments.

SEASON LENGTH: Not more than 90 days.

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

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

STAFF RECOMMENDATION

SEASON DATES:	September 2 - October 29	(58 days)
	November 22 - November 29	(8 days)
	December 23 - January 15	(23 days)
SHOOTING HOURS:	September 2 – September 8	Noon until sunset
	September 9 – October 29	½ hr before sunrise to sunset.
	November 22 - November 29	½ hr before sunrise to sunset.
	December 23 - January 15	½ hr before sunrise to sunset.

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

Rails

Background Information and Population Status

- **Harvest –** Comprised predominantly of clapper rails (85%), some sora (14%), and small number of Virginia rails taken. Clappers are mostly local VA birds, some are migrants from NJ, NY, and other salt marsh areas.

- **Nesting -** Clapper rails nest from May through June, with re-nesting in July/August. Late nesting rails have broods that do not reach flight stage until August or September. This occurs in years when 1st nests are flooded by spring storms/tides and re-nests contribute significantly to production. Therefore, we generally wait until the second week of September to open the rail hunting season. The key to setting the season is to bracket the greatest number of high tides possible.

- **Harvest Data** - Avg. No. hunters = 490, Avg. Harvest = 4,300 (HIP, past 10-yr avg.)

Past Seasons

Year	Season Dates (all 70 days)	
2016	Sept. 10 - Nov. 18	
2015	Sept. 8 - Nov. 16	
2014	Sept. 8 – Nov. 16	
2013	Sept. 7 - 28	Sept. 30 – Nov. 16
2012	Sept. 8 – 29	Oct. 1 – Nov. 17
2011	Sept. 10 – Oct. 1	Oct. 3 – Nov. 19
2010	Sept. 8 – Oct. 2	Oct. 4 – Nov. 17
2009	Sept. 8 – Oct. 3	Oct. 5 – Nov. 17
2008	Sept. 10 – Nov. 18	
2007	Sept. 10 – Nov. 17	
2006	Sept. 8 – Nov. 16	
2005	Sept. 12 – Nov. 19	
2004	Sept. 13 – Nov. 20	
2003	Sept. 10 – Nov. 18	
2002	Sept. 9 - Nov. 16	
2001	Sept. 11 – Nov. 19	
2000	Sept. 13 – Oct. 2	Oct. 11 – Nov. 29
1999	Sept. 10 – Oct. 12	Oct. 22 – Nov. 27
1998	Sept. 9 – Oct. 24	Nov. 2 – Nov. 25
1997	Sept. 15 - 27	Oct. 8 - Dec. 3
1996	Sept. 16 – Oct. 17	Oct. 24 - Nov. 30
1995	Sept. 11 – Oct. 14	Oct. 21 – Nov.25

RAILS (Clapper, King, Sora, Virginia)

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1, 2017 - January 31, 2018

SEASON LENGTH: 70 days, straight or 2 segments.

BAG LIMIT: Clapper/King 15 daily, 45 possession
Sora/Virginia 25 daily, 75 possession

SHOOTING HOURS: ½ hour before sunrise until sunset daily

STAFF RECOMMENDATION

SEASON DATES: September 9 - November 17 (70 days)

BAG LIMIT: Clapper/King: 15 - counted together daily, 45 poss.
Sora/Virginia: 25 - counted together daily, 75 poss.

SHOOTING HOURS: ½ hour before sunrise until sunset

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

GALLINULE AND MOORHEN

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1, 2017 - January 31, 2018

SEASON LENGTH: 70 days, straight or 2 segments.

BAG LIMIT: 15 daily, 45 in possession (singly or in the aggregate)

SHOOTING HOURS: ½ hour before sunrise until sunset daily

STAFF RECOMMENDATION

SEASON DATES: September 9 – November 17 (70 days)

BAG LIMIT: 15 daily, 45 in possession (singly or in the aggregate)

SHOOTING HOURS: ½ hour before sunrise until sunset

Woodcock

Background Information and Population Status

- Harvest Strategy revised in 2011, established 3 regulatory options (Liberal, Moderate and Restrictive). Annual regulation based on the 3-year mean of the singing ground survey index. For 2017-18, Harvest Strategy calls for Moderate Regulation (45 days/3 birds).

- Singing-ground survey (SGS) in Eastern Management Region:
  - 1 year trend (2015-2016): no change.
  - 10 year trend (2007-2016): no significant trend.
  - Long-term (1966-2016): 0.93 % decline per year.

- The 2015 recruitment index for the U.S. portion of the Eastern Region (1.38 jv/ad female) was 7.3% below the 2014 index and 15.4% below than the long-term index.

- Research suggests that hunting has little effect on population trend, but habitat is limiting.

- In Virginia, season split into two segments to provide some opportunity for early hunting in western areas, and later hunting in central and eastern areas.
  Avg. No. hunters = 1,430 Avg. Harvest = 2,337 (HIP, past 10-year avg.)

Recent Seasons (bag limit has been 3 birds)

Year	Season Dates		Days
2016-2017	Oct. 29 – Nov. 4	Dec. 9 – Jan. 15	45
2015-2016	Nov. 23 – Dec. 5	Dec. 15 – Jan. 15	45
2014-2015	Nov. 24 – Dec. 6	Dec. 15 – Jan. 15	45
2013-2014	Oct. 26 – Nov. 1	Dec. 5 – Jan. 11	45
2012-2013	Oct. 27 – Nov. 2	Dec. 6 – Jan. 12	45
2011-2012	Oct. 29 – Nov. 12	Dec. 16 – Jan. 14	45
2010-2011	Oct. 30 - Nov. 13	Dec. 27 – Jan. 10	30
2009-2010	Nov. 7 – 21	Dec. 26 – Jan. 9	30
2008-2009	Nov. 8 – 22	Dec. 20 – Jan 3	30
2007-2008	Oct. 27 – Nov. 10	Dec. 22 – Jan. 5	30
2006-2007	Nov. 4 – 18	Dec. 23 – Jan. 6	30
2005-2006	Nov. 12 – 26	Dec.17 – Dec 31	30
2004-2005	Oct. 30 – Nov. 13	Dec.18 – Jan. 1	30
2003-2004	Nov. 1 – 15	Dec. 20 – Jan. 3	30
2002-2003	Nov. 2 – 16	Dec. 21 - Jan. 4	30
2001-2002	Nov. 3 - 17	Dec. 22 - Jan. 5	30
2000-2001	Nov. 4 - 18	Dec. 23 - Jan. 6	30
1999-2000	Oct. 30 - Nov. 13	Dec. 18 - Jan. 1	30
1998-1999	Oct. 31 - Nov. 14	Dec. 19 - Jan. 2	30
1997-1998	Nov. 1 - Nov. 15	Dec. 20 - Jan. 3	30
1996-1997	Oct. 28 - Nov. 23	Dec. 18 - Jan. 4	45
1995-1996	Oct. 30 - Nov. 25	Dec. 20 - Jan. 6	45

WOODCOCK

FEDERAL FRAMEWORKS

OUTSIDE DATES:	October 1, 2017 - January 31, 2018
SEASON LENGTH:	45 days, straight or 2 segments.
BAG LIMIT:	3 daily, 9 in possession.
SHOOTING HOURS:	½ hour before sunrise until sunset daily.

STAFF RECOMMENDATION

SEASON DATES:	November 20 – December 8	(19 days)
	December 21 – January 15	(26 days)
BAG LIMIT:	3 daily, 9 in possession	
SHOOTING HOURS:	½ hour before sunrise until sunset	

Snipe

Background Information

- Season generally set to overlap duck season. There are relatively few snipe hunters in VA and most snipe are taken opportunistically by other migratory bird hunters.

- Harvest Data (HIP, past 10-yr avg.): No. hunters = 470, Harvest = 810

Recent Seasons

Year	Season Dates (all 107 days)	
2016-2017	Oct. 7 – Oct. 10	Oct. 21 – Jan. 31
2015-2016	Oct. 9 – Oct. 12	Oct. 21 – Jan. 31
2014-2015	Oct. 10 – Oct. 13	Oct. 21 – Jan. 31
2013-2014	Oct. 10 – Oct. 14	Oct. 22 – Jan. 31
2012-2013	Oct. 4 – Oct. 8	Oct. 22 - Jan. 31
2011-2012	Oct. 6 – Oct. 10	Oct. 22 – Jan. 31
2010-2011	Oct. 7 – Oct. 11	Oct. 22 – Jan. 31
2009-2010	Oct. 8 – Oct. 12	Oct. 21 – Jan. 30
2008-2009	Oct. 9 – Oct. 13	Oct. 22 – Jan.31
2007-2008	Oct 4 – Oct. 8	Oct. 22 – Jan. 31
2006-2007	Oct 4 – Oct. 9	Oct. 23 – Jan. 31
2005-2006	Oct 5 – Oct.10	Oct. 24 – Jan. 31
2004-2005	Oct 7 – Oct 11	Oct. 22 – Jan. 31
2003-2004	Oct. 8 – Oct 11	Oct. 21 – Jan. 31
2002-2003	Oct 9 – Oct 12	Oct. 21 – Jan. 31
2001-2002	Oct. 10 - Oct. 13	Oct. 22 - Jan. 31
2000-2001	Oct. 11 - Oct. 14	Oct. 21 - Jan. 31
1999-2000	Oct. 6 - Oct. 9	Oct. 21 - Jan. 31
1998-1999	Oct. 7 - Oct. 10	Oct. 20 - Jan. 30
1997-1998	Oct. 8 - Oct. 11	Oct. 21 - Jan. 31
1996-1997	Oct. 9 - Oct. 12	Oct. 21 - Jan. 31
1995-1996	Oct. 11 - Oct. 14	Oct. 21 - Jan. 31

SNIPE

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1, 2017 - January 31, 2018

SEASON LENGTH: 107 days, straight or 2 segments

BAG LIMIT: 8 daily, 24 possession

SHOOTING HOURS: ½ hour before sunrise until sunset

STAFF RECOMMENDATION

SEASON DATES: October 6 - October 9 (4 days)
October 21 - January 31 (103 days)

BAG LIMIT: 8 daily, 24 in possession

SHOOTING HOURS: ½ hour before sunrise until sunset

SEPTEMBER TEAL SEASON FACT SHEET

- Special teal seasons were initiated in late 1960's to provide harvest opportunities on blue-winged and green-winged teal. These seasons were discontinued in the 1980's due to drought and a decline in teal numbers.

- Habitat conditions and teal populations improved in the late 1990's and special teal seasons were reinstated in 1999. When the blue-winged teal breeding population (BPOP) is above 3.3 million, a 9-day season can be offered. If the BPOP exceeds 4.7 million, a 16-day season can be offered.

- Blue-winged teal are one of the earliest migrants. Many pass through Virginia from late August through October, prior to the opening of the late duck season.

- Green-winged teal are also early migrants and arrive in September and October. Some Green-wings remain through the winter depending on weather conditions.

- Virginia has held a special September teal season since 1999 (see dates listed below). The season was initially held only in the area east of I-95 because there are greater numbers of teal in the coastal plain. Even in the coastal plain, there are not large numbers of teal, and the harvest has been relatively small. The season was expanded in 2011 to provide some teal hunting opportunity in the area west of I-95.

Year	Season Dates East of I-95	Season Dates West of I-95
2016	Sept. 17 – 30	Sept. 21 - 30
2015	Sept. 17 – 30	Sept. 21 - 30
2014	Sept. 17 – 30	Sept. 22 - 30
2013	Sept. 16 – 30	Sept. 23 - 30
2012	Sept. 17 – 29	Sept. 24 - 29
2011	Sept. 19 – 30	Sept. 26 - 30
2010	Sept. 20 – 30	na
2009	Sept. 21 – 30	na
2008	Sept. 20 – 30	na
2007	Sept. 17 – 26	na
2006	Sept. 15 – 25	na
2005	Sept. 16 – 24	na
2004	Sept. 16 – 25	na
2003	Sept. 13 – 23	na
2002	Sept. 14 – 24	na
2001	Sept. 15 – 25	na
2000	Sept. 14 – 23	na
1999	Sept. 16 – 25	na

Average Annual Harvest: 867 teal

SEPTEMBER TEAL SEASON

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1 – September 30, 2017

SEASON LENGTH: Up to 16 days

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

SHOOTING HOURS: ½ hour before sunrise to sunset

STAFF RECOMMENDATION

SEASON DATES: September 16 – September 30 (15 days)
HUNT AREA: East of I – 95

September 21 – September 30 (10 days)
HUNT AREA: West of I – 95

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

SHOOTING HOURS: ½ hour before sunrise to sunset

FACT SHEET - Waterfowl Hunters and Harvests - 2017

- Liberal duck seasons (60 days, 6 bird bag limit) and resident goose seasons have resulted in high waterfowl harvests in Virginia during the past ten years. Harvest has averaged ~136,600 ducks and ~51,100 geese from 2011 - 2015, compared to 114,770 ducks and 25,000 geese during the 1990's. The long season length and liberal bags offer greater opportunity and a greater cumulative harvest over the course of the season.

- Waterfowl hunter numbers in Virginia have been generally stable since the late 1990's. Since 1999, the Harvest Information Program (HIP) has been used to estimate hunter effort and harvest. The average number of duck and goose hunters over the past 3 years, as measured by HIP, was 16,100 and 12,700 respectively.

- Milder conditions during the majority of the 2015-2016 season were not conducive to extensive waterfowl migration and subsequently waterfowl harvest. These conditions kept waterfowl dispersed and often hard to hunt.

- The total estimated duck harvest in 2015-2016 in Virginia (119,300) was 16% below the previous year (141,300) and 13% below the past 5-year average (136,600).

- The Canada goose harvest in Virginia in 2015-16 (40,000) decreased 12% from last year and was 22% below the past 5-year average (51,100).

- During the 2015-2016 season, mallards were the most commonly harvested duck in Virginia. Mallard, bufflehead, gadwall, wood duck and American black duck compromise the top 5 harvested species. The mallard harvest in Virginia in 2015-16 (37,200) decreased by 10% from 2014-2015, but was 8% higher than the past 5-year average (34,400).

FACT SHEET - The Status of Ducks - 2017

Mid-Continent Areas: Annual precipitation is the most important factor influencing the quantity and quality of nesting and brood rearing habitat for prairie-nesting birds. The number of ponds counted during the USFWS May breeding waterfowl survey is an index used for assessing waterfowl nesting conditions. Habitat conditions were not as good as last year due to below-average winter and spring precipitation across most of the prairie pothole region. The 2016 May pond count (5.0 million) was 21% below last year's count (6.3 million), but similar to the long-term average (5.2 million).

The total duck breeding population (BPOP) estimate for the mid-continent area this year is 48.4 million ducks, similar to last year's estimate of 49.5 million ducks and 38% higher than the long-term average (1955-2015). The Breeding population estimates (BPOP), along with the percent change from last year and the long-term average, are presented below for the 10 most common species.

Species	2016 BPOP	% Change from 2015	% Change from Long-Term Avg.
Mallard	11.8 million	+1%	+51%
Blue-winged Teal	6.7 million	-22%	+34%
Green-winged Teal	4.3 million	+5%	+104%
Gadwall	3.7 million	-3%	+90%
Northern Shoveler	3.9 million	-10%	+56%
Northern Pintail	2.6 million	-14%	-34%
American Wigeon	3.4 million	+12%	+31%
Redhead	1.3 million	+8%	+82%
Scaup	5.0 million	+14%	0%
Canvasback	736,000	-3%	+26%
Total Ducks	48.4 million	-2%	+38%

Eastern Breeding Areas: Habitat conditions throughout the eastern breeding area were generally improved compared to 2015, with most areas experiencing sufficient rainfall but minimal flooding. Spring phenology was early in the southern regions of the eastern breeding area, but delayed in northern regions. Habitat conditions ranged from excellent to fair.

- Breeding population estimates for the 6 most common species surveyed were almost the same or greater than last year and all except Green-winged teal and Goldeneye rose to meet or exceed their past ten-year averages. Black ducks (612,000) were 13% higher than last year's estimate and similar to the long-term average (618,000). Other abundant species counted in the eastern survey area were Mallards (409,000), Ring-necked ducks (578,000), and Goldeneyes (363,000).

Virginia: Habitat conditions in Virginia during the spring of 2016 were good. Significant spring precipitation filled many wetlands and provided good nesting habitat. Cooler spring temperatures may have delayed some nest initiation and may have inhibited some re-nesting efforts. Local duck and goose production is expected to be average to above average.

- The breeding pair estimate for Mallards (21,140) increased to 14% above the previous year's estimate. Wood duck breeding pair estimates (18,399) decreased from 2015 and were 24% below the previous year's estimate. Canada goose breeding pair estimates (41,871) remained very similar to the previous year's estimate.

YOUTH WATERFOWL DAY

Guidelines for the proposed Youth Days include:

1. States may select 2 days per duck-hunting zone, designated as "Youth Waterfowl Hunting Days," in addition to their regular duck seasons.

2. The 2 days (no longer required to be consecutive) must be held outside of any regular duck season on a weekend, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate.

3. The days could be held up to 14 days before or after any regular duck season frameworks or within any split of a regular duck season.

4. The daily bag limit is the same as that allowed in the regular season and includes ducks, mergansers, coots, moorhens, gallinules, 2 Canada geese (except in Canada Goose Zones where the bag limit is higher), and 1 tundra swan (if the youth possesses a tundra swan permit). Flyway species restrictions remain in effect.

5. Youth hunters must be 15 years of age or younger. Youth 12 years of age and older will need a valid Virginia state hunting license.

6. A licensed adult at least 18 years of age or older must accompany the youth hunter into the field. This adult may not duck hunt, but may participate in other open seasons

DUCKS

FEDERAL FRAMEWORK

Outside Dates: September 23, 2017 - January 28, 2018

Season Length: 60 hunting days; plus 2 Youth Waterfowl Hunt Days, can be non-consecutive.

Bag Limit: Daily Bag limit of 6 ducks of any species except for the following restrictions: can include no more than 4 mallards (only 2 hens), 4 scoters, 4 long-tailed ducks and 4 eiders, 3 wood ducks, 2 scaup, 2 redheads, 2 canvasback, **2 black ducks**, **1 pintail**, 1 mottled duck, 1 fulvous whistling duck,.
Closed season on harlequin duck.
The possession limit is three times the daily bag limit.

NOTE: There is an option to include mergansers in the general duck bag or leave them as a separate bag (see Merganser framework page 10). If included in the general duck bag, the restriction on 2 hooded mergansers would apply.

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

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

STAFF RECOMMENDATIONS

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

Season Dates:

October 6 - 9	(Black Duck closed)	(4 days)
November 15 – November 26		(12 days)
December 16 – January 28		(44 days)
		(60 days)

October 21, February 3 - Youth Waterfowl Days

Bag Limit: Daily Bag limit: 6 ducks of any species except for the following restrictions: can include no more than 4 mallards (only 2 hens), 4 scoters, 4 long-tailed ducks and 4 eiders, 3 wood ducks, 2 scaup, 2 redheads, 2 canvasback, **2 black ducks, 1 pintail**, 1 mottled duck, 1 fulvous whistling duck,.
Closed season on harlequin duck.
The possession limit is three times the daily bag limit.

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

MERGANSER AND COOT

MERGANSER

FEDERAL FRAMEWORK

Option A

Season Length:	60 hunting days
Outside Date:	September 23, 2017 - January 28, 2018
Bag Limit:	5 birds daily, of which only 2 birds may be a hooded merganser (15 in possession, only 6 of which may be hooded mergansers)

Option B

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

STAFF RECOMMENDATIONS

Option A

Season Dates:	To coincide with general duck season
Bag Limit:	5 birds daily, of which only 2 birds may be a hooded merganser (15 in possession, only 6 of which may be hooded mergansers)

AMERICAN COOT

FEDERAL FRAMEWORK

Season Length:	60 hunting days
Outside Date:	September 23, 2017 - January 28, 2018
Bag Limit:	15 birds daily (45 in possession)

STAFF RECOMMENDATIONS

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

SPECIAL SEA DUCK SEASON IN SEA DUCK ZONE*

FEDERAL FRAMEWORK

SEA DUCKS (SCOTER, LONG-TAILED DUCK, AND EIDER)

Season Length:	60 hunting days, run consecutively
Outside Dates:	September 15, 2017 - January 31, 2018
Bag Limit:	5 birds per day (15 in possession), may include no more than 4 scoters, 4 eiders or 4 long-tailed ducks.

STAFF RECOMMENDATION

SEA DUCKS (SCOTER, LONG-TAILED DUCK, AND EIDER)

Season Dates:	November 10 – January 8 (60 days) In the Sea Duck Zone delineated below
Bag Limit:	5 birds per day (15 in possession), may include no more than 4 scoters, 4 eiders or 4 long-tailed ducks.

*** Sea Duck Zone:** Those waters at a distance greater than 800 yards from any shore, island or emergent vegetation in the following area: the ocean waters of Virginia, the tidal waters of Northampton and Accomack Counties, and the Chesapeake Bay and each of its tributaries up to the first highway bridge. Back Bay and its tributaries are not included in the Sea Duck Zone.

Note - Sea ducks can be taken during the regular duck season (Oct. 6–9, Nov. 15–26 and Dec. 16 – Jan. 28) in areas outside the sea duck zone, and if taken outside the sea duck zone must be counted as part of the regular duck season bag limits.

FACT SHEET - The Status of Resident Canada Geese - 2017

- The resident Canada goose population increased significantly during the 1980's and 1990's. The population peaked at over 260,000 geese in the mid-late 1990's in Virginia and has been reduced by specific management programs since then. The current population estimate is 158,207 (+/- 30,000) in Virginia and over 1 million in the Atlantic Flyway.

- Special resident goose hunting seasons were initiated in 1993 to help manage this population and to provide opportunities for hunters. These seasons occur prior to the arrival of the first migrant geese (~Sept. 25 in Virginia), or in areas where there are fewer migrant geese. The Federal Framework allows Virginia to conduct a statewide September Resident Goose season from September 1-25.

- There are fewer migrant geese in the western portions of Virginia, and a special Resident Goose Hunt Zone has been established that allows more liberal seasons than in the migrant Canada goose zones.

- Special resident goose seasons have been very popular and are an effective tool for managing resident goose populations. These liberal hunting seasons have increased hunter participation and resident goose harvests. Harvest objectives are to maintain the statewide population at the current level.

- In areas where hunting is not feasible, other options including Airport, Agricultural, and Nest and Egg Depredation Orders have been implemented to help manage resident goose conflicts.

Year	Population Estimate *	September Harvest
2016	158,200 +/- 19%	na
2015	150,651 +/- 22%	6,100
2014	130,503 +/- 26%	7,500
2013	144,910 +/- 26%	10,700
2012	158,267 +/- 28%	9,700
2011	165,022 +/- 28%	14,700
2010	147,313 +/- 29%	15,600
2009	145,019 +/- 29%	16,800
2008	157,560 +/- 29%	17,500
2007	154,030 +/- 27%	13,600
2006	136,700 +/- 27%	11,100
2005	129,486 +/- 26%	10,100
2004	143,741 +/- 25%	17,000
2003	186,753 +/- 23%	14,800
2002	218,719 +/- 24%	14,300
2001	218,384 +/- 27%	11,800
2000	227,164 +/- 32%	10,800
1999	261,554 +/- 34%	11,400
1998	264,867 +/- 35%	12,200
1997	249,612 +/- 34%	10,500
1996	181,813 +/- 36%	10,000
1995	151,043 +/- 39%	5,500

*3-year running average

SEPTEMBER CANADA GOOSE

FEDERAL FRAMEWORKS

OUTSIDE DATES: September 1 – September 25, 2017

BAG LIMIT: 15 daily, 45 in possession

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

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

STAFF RECOMMENDATION

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

BAG LIMIT: 10 daily, 30 in possession

HUNT AREA: Statewide

SHOOTING HOURS:

East of I-95
September 1 – 15: ½ hr before sunrise to ½ hr **after** sunset.
September 16 – 25: ½ hr before sunrise **to** sunset.

West of I-95
September 1– 20: ½ hr before sunrise to ½ hr **after** sunset.
September 21 - 25: ½ hr before sunrise **to** sunset.

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

FACT SHEET- The Status of Migrant Canada Geese - 2017

- Migrant Canada geese from the Atlantic Population declined significantly from 1985-1995. The hunting season was closed in 1995 to allow the population to recover. The population rebounded quickly and a limited hunting season (6 days with a 1-bird bag) was held in both 1999 and 2000.

- As the population increased, hunting regulations were liberalized. The season was extended to 30 days in 2001, and 45 days in 2002, and 50 days in 2012. The bag limit was increased to 2 per day in 2004 and has remain at 2/day since then.

- The breeding population estimate for 2016 (191,500) was 18% above the 2015 estimate.

YEAR	NUMBER OF PAIRS	
1988	118,031	
1993	91,307	
1994	40,086	
1995	29,302	(season closed)
1996	46,058	" "
1997	63,216	" "
1998	42,166	(season closed, incomplete survey)
1999	77,451	(season reopened, 6 days/1 bird)
2000	93,230	
2001	146,662	
2002	164,840	
2003	156,937	
2004	174,793	
2005	162,395	
2006	160,020	
2007	195,709	
2008	169,699	
2009	176,118	
2010	154,028	
2011	194,900	
2012	190,300	
2013	N/A	(survey not completed)
2014	191,234	
2015	161,302	

- Spring phenology was later than normal in central and northern Quebec resulting in below average habitat conditions. Production for 2016 is expected to be similar to or below that of 2015, and lower than the 10-yr average.

Canada Goose Populations and Hunt Zones

- There are 4 subpopulations of Canada geese in Virginia. These include the Atlantic Flyway Resident Population (RP) along with three migrant goose populations, the North Atlantic Population (NAP), the Southern James Bay Population (SJBP), and the Atlantic Population (AP). The majority of our migrant geese (~82%) are from the AP, about 18% are from the SJBP, and <1% are from the NAP.

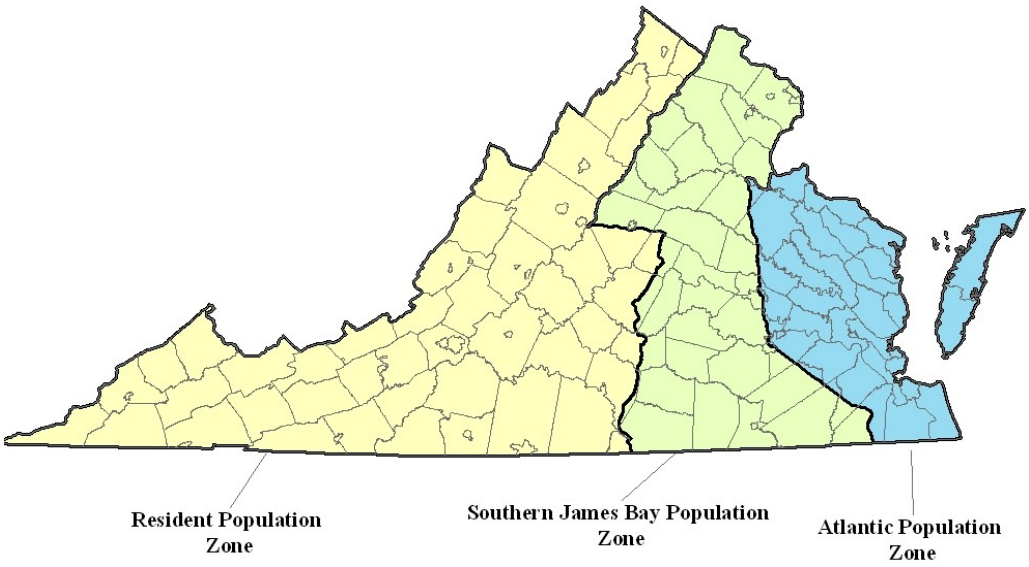
- Recent research and banding analyses have enabled us to better delineate the distribution and migration corridors used by these different subpopulations, and to establish separate hunting zones based on the percentage of migrant geese in each zone. These zones include the:

Atlantic Population (AP) Hunt Zone – The area east of the Stafford/King George County line from the Potomac River south to the Rappahannock River, then west along the Stafford County line to Interstate 95, then south along I-95 to Route 460 in Petersburg, then southeast along Route 460 to Route 32 in the City of Suffolk, then south to the North Carolina border.

Southern James Bay Population (SJBP) Hunt Zone – The area to the west of the AP Hunt Zone boundary and east of the following line: the ''Blue Ridge'' (Loudoun County-Clarke County line) at the West Virginia-Virginia Border, south to Interstate 64 (the Blue Ridge line follows county borders along the western edge of Loudoun-Fauquier-Rappahannock-Madison-Greene-Albemarle and into Nelson Counties), then east along Interstate Rt. 64 to Route 15, then south along Rt. 15 to the North Carolina line.

Resident Population (RP) Hunt Zone – The portion of the state west of the SJBP Hunt Zone.

Virginia's Canada Goose Hunt Zones



CANADA GOOSE

FEDERAL FRAMEWORKS

ATLANTIC POPULATION ZONE (AP):

Season Length:	50 hunting days
Outside Dates:	November 15 – February 5
Bag Limit:	2 birds daily (6 in possession)

SOUTHERN JAMES BAY POPULATION ZONE (SJBP)

Outside Dates and Season Length:	
Regular Season:	November 15 – January 14 (up to 40 hunting days)
Extended Season:	January 15 – February 15
Bag Limit:	3/day (9 in possession) through January 14
	5/day (15 in possession), January 15 to February 15

RESIDENT POPULATION ZONE (RP):

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

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

STAFF RECOMMENDATIONS

ATLANTIC POPULATION ZONE: (AP)

Season Dates:	November 15 – November 26	(12 days)
	December 22 – January 28	(38 days)
Bag Limit:	2 geese per day (6 in possession)	
Shooting Hours:	1/2-hour before sunrise until sunset daily	

SOUTHERN JAMES BAY POPULATION ZONE (SJBP)

Season Dates:			
Regular Season:	November 15 – November 26	3/day	(12 days)
	December 18 – January 14	3/day	(28 days)
Extended Season:	January 15 - February 15	5/day	(32 days)
Shooting Hours:	1/2-hour before sunrise until sunset daily		

RESIDENT POPULATION ZONE: (RP)

Season Dates:	November 15 – November 26	(12 days)
	December 16 - February 21	(68 days)
Bag Limit:	5 birds daily (15 in possession)	
Shooting Hours:	1/2-hour before sunrise until sunset daily	

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

FACT SHEET - Status of Light Geese (Greater and Lesser Snow Geese, and Ross's Geese) - 2017

- The Greater Snow Goose population is monitored on spring staging areas near the St. Lawrence Valley in Quebec. The 2016 population estimate was 915,000 geese (+/- 11%), which is 12% higher than last year and similar to the long term average.

- The principal nesting areas for greater snow geese are on Bylot, Axel Heiberg, Ellesmere, and Baffin Islands, and on Greenland. These geese winter along the Atlantic Coast from New Jersey to North Carolina.

- Despite heavy snow pack resulting in late snow melt on the nesting areas this year, spring was relatively average overall. Snow geese arrived later on the nesting grounds than in the last few years. Nesting density and number of eggs per nest were both below average in 2016.

- Over the last 30 years, snow goose populations have increased almost ten-fold. A shift from feeding almost exclusively in marshes to feeding more on agricultural grains has allowed them to expand their range and habitat use. This shift has also allowed them to return to their breeding habitats in better physical condition, which has led to increased productivity.

- This population boom has resulted in ecological degradation on their breeding, migration and wintering areas. It has also let to conflicts with agricultural interest. Snow geese can cause damage to these habitats by pulling up plant roots and denuding marshes of vegetation.

- Current hunting regulations for snow geese are as liberal as Federal Frameworks will allow and include a 107-day season that runs from October to January, and a bag limit that was increased from 15 to 25 in 2010. Liberal seasons have helped increase the harvest, however, the population is still quite large and concerns remain about detrimental impacts these birds are having on breeding and wintering habitats.

- A Conservation Order (CO) hunting season was established in 2009, and authorizes the use of alternative management strategies (unplugged shotguns, electronic calls, shooting to ½ hour after sunset, no daily bag limit) to further increase the harvest of snow geese in the Atlantic Flyway. The number of hunters participating in this season in Virginia has averaged 213 per year and the harvest has averaged 557 snow geese per year, however, harvest and participation rates have gone down each year.

LIGHT GOOSE SEASONS

REGULAR LIGHT GOOSE SEASON

FEDERAL FRAMEWORK

Season Length:	107 hunting days
Outside Dates:	October 1, 2017 - March 10, 2018
Split Season Option:	3-way split season
Bag Limit:	25 birds daily (no possession limit)

STAFF RECOMMENDATIONS

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

LIGHT GOOSE CONSERVATION ORDER SEASON

FEDERAL FRAMEWORK

Outside Dates: When no other waterfowl seasons are open

Bag Limit: No daily or possession limit

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

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

STAFF RECOMMENDATION

Conservation Order Season Zone: The same as the AP Canada Goose Zone - The area east of the Stafford/King George County line from the Potomac River south to the Rappahannock River, then west along the Stafford County line to Interstate 95, then south along I-95 to Route 460 in Petersburg, then southeast along Route 460 to Route 32 in the City of Suffolk, then south to the North Carolina border.

Season Dates: February 1 – April 5, 2018 (65 days)

Bag Limit: No daily or possession limit

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

Special Requirements: Hunters participating in the Conservation Order Season must register, keep a record of their harvest and participation, and return a harvest report form within two weeks following the close of the season.

FACT SHEET - Status of Atlantic Brant and Tundra Swan - 2017

- **BRANT.** The main breeding areas for Atlantic Brant are in the Eastern Canadian Arctic on Baffin, Southampton, and Ellesmere Islands. Most brant winter along the Atlantic Coast from Massachusetts to North Carolina.

- Breeding habitat conditions were variable this year with good breeding success in some areas like Southampton Island, but not as good in other areas.

- The Mid-Winter Survey count of brant in the Atlantic Flyway last year (January 2016) (157,899) was 42% higher than the 2015 estimate. The high count was unexpected given that counts from recent years have been low, and production has been well below average the past four years. This high count led to liberalization in the brant hunting regulations in 2016-17.

- The federal brant hunting framework for 2017-18 has not been set yet, but will be based on the 2017 mid-winter count, which should be available near the end of January.

- **TUNDRA SWANS.** The Eastern Population of tundra swans nest in arctic tundra areas from Alaska, east to Hudson Bay and Baffin Island. These birds winter in coastal areas from Maryland to North Carolina. Productivity in 2016 was expected to be similar last year.

- There were 113,600 eastern population tundra swans counted on the 2016 Mid-Winter Survey, which was slightly lower than in 2015 but still above the long term-average. The three-year running average is 111,892 and above the threshold needed (110,000) to liberalize the season.

- Therefore a 25% increase in the number of permits will be allowed for the 2017-18 season. This will be the first change in the total number of hunting permits allowed in over 20 years.

- Eight states in the U.S. hunt tundra swans including Alaska, Utah, Montana and Nevada in the Pacific Flyway, North Dakota and South Dakota in the Central Flyway, and North Carolina and Virginia in the Atlantic Flyway.

- In the Atlantic Flyway, the allocation of hunt permits is split between the 2 states in approximate proportion to the number of swans in each state. Virginia winters ~6,000 swans. North Carolina winters ~70,000 swans (~65% of the population) and therefore is allowed a higher percentage of the swan hunting permits.

- For the 2017-18 hunting season, the number of permits available to hunters will increase 25% from 600 to 750 in Virginia, and from 5,000 to 6,250 in North Carolina.

- The tundra swan hunting season in Virginia is authorized and conducted as specified in the Atlantic Flyway Tundra Swan Management Plan and Hunt Plan, with limits and guidelines as specified under an MOU with the U.S. Fish and Wildlife Service.

ATLANTIC BRANT

FEDERAL FRAMEWORK

Season Length:	60 hunting days
Outside Dates:	September 23, 2017 - January 31, 2018
Split Season Option:	2-way split season
Bag Limit:	2 bird daily (6 in possession)

STAFF RECOMMENDATIONS

Season Dates:	November 15– November 26 December 16 - January 31
Bag Limit:	2 birds daily (6 in possession)

TUNDRA SWAN

FEDERAL FRAMEWORK

Season Length: 90 hunting days

Outside Dates: October 1, 2017 - January 31, 2018
State agency may issue up to **750 permits** in Virginia and must obtain harvest and hunter participation data. Each permittee is authorized to take one (1) tundra swan per season.

Bag Limit: One per permittee per season

STAFF RECOMMENDATIONS

Season Dates: November 15 - January 31

Bag Limit: One per permittee per season

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

NOTE: VDGIF will issue no more than **750 swan hunting permits** to holders of a valid Virginia hunting license. Only hunters with a valid 2017-2018 tundra swan hunting permit issued by VDGIF shall be authorized to hunt tundra swans. Each permittee will be authorized to take one tundra swan during the season. Swan hunting permits are non-transferable and are valid for use only by the person to whom issued. Permits must be in the immediate possession of the permittee while swan hunting. Immediately at the time and place of kill, successful hunters must cancel their swan-hunting permit by permanently recording the month and day of kill and by attaching it to the swan as instructed on the permit. The VDGIF is required to obtain hunter participation and harvest information to offer this Tundra Swan hunting season. Hunters are required to complete the accompanying tundra swan hunt questionnaire and return it to the address listed on the questionnaire at the end of the hunt. Those who fail to return a completed questionnaire by February 15, 2018 are ineligible for future drawings.

FALCONRY

FEDERAL FRAMEWORK

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

STAFF RECOMMENDATIONS

Dove:	September 2 – October 29 November 22 – November 29 December 23 – January 31
Rail, Gallinule, Moorhen:	September 9 – December 24
Woodcock:	October 17 – January 31
Snipe:	October 6 - 9 October 21 – January 31
Canada Goose:	September 1 - September 25 November 15 – November 26 December 16 - February 21
September Teal:	September 16 - September 30
Ducks, Mergansers, Coot:	October 6- 9 November 15 – February 9
Brant and Snow Goose:	October 17 – January 31

NOTE: Recommended dates based on adoption of preceding gun season proposals; if amended, staff requests permission to calculate permissible dates for each species within the allowable federal framework.

Calendar 2017-2018

September 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

Public Comments Received (87)

Number of comments	
	Doves
1	Move 8 days from October into December.
	Ducks – September Teal
2	Allow same number of days west of I-95 as east of I-95
1	Start season later. Allow some days in October.
1	Move teal season to first 16 days
	Ducks – Regular Season
11	Opposed to black duck bag limit increase
5**	Support black duck bag limit increase
3	Support black duck bag limit increase
1	Open black ducks in October
1	Reduce overall duck bag limit to 5
4	Move duck seasons later, and extend duck season into February
2	Start November segment a week earlier and December a week later
1	Add more days in Oct and move later in month, reduce number of Nov. days
1	Run season from the last day allowed (Jan. 28) back 60 days into late November
1	Have 4 or 5 bird splash rule
	Sea Ducks
1	Move season to after regular duck season
	Blind Laws
1	Keep blind laws at their current 500 yards, don't reduce to 250.
1	Prevent hunting while standing in water within 500 yards of a blind
1	Allow hunting within 500 yards of an unoccupied blind
	Resident Canada Geese
3	Increase bag limit to 15 and allow unplugged shotguns
1	Allow unplugged guns
3	Do not allow unplugged guns or electronic calls
1	Season too liberal, reduce bag to 5 per day.
1	Season too liberal, reduce bag to 7 per day.
1	Move season to March and April
1	Allow extended shooting in latter part of goose season (move teal season earlier)
	Migrant Canada Geese
5	Keep season similar to 2016-17, end it same day as duck season
5**	Start second split Dec. 23 (not Christmas) for extra Saturday, take days from Nov.
1	Start second split Dec. 22 (not Christmas) to add another Saturday.
1	Take Days from November and add them to the end of season

Public Comments Received (continued)

Number of comments	
	Brant
1	Run season to January 31, 60 days straight, no breaks
	Tundra Swan
5**	Open season statewide, allow hunting all way up Potomac
2	Allow hunting all way up Potomac
1	Provide 90 days to start the season in early November
	Crow
2	Close Sundays and move crow season back to Mondays
	Woodcock
6	Keep similar to last year, bring in with grouse (Oct. 28).
3	Support current season recommendation, start in mid-late November
1	Bring in with quail season (Nov. 11), eliminate Oct. days.
1	Move days from December to extend season later into January
2	Provide more days late (in Jan.) after close of deer season
	Other
1	Licensing- allow a hunter to "Pick Six" or "Pick Three" licenses in
	a bundle at slightly reduced cost as a way to save a little money.

** All 5 sets of comments identical