

**Unified Regulatory Plan of the Department of Wildlife Resources for State Fiscal  
Year 2025**

Prepared on June 27, 2024  
Aaron Proctor – Regulatory Coordinator



## Description of Agency or Boards

The Department of Wildlife Resources is the Commonwealth's lead agency for matters of terrestrial wildlife management, freshwater fisheries, and boating regulation. The Department is overseen by the Board of Wildlife Resources, which is a supervisory board. Regulations relevant to the aforementioned subject areas are promulgated by the Board; enabling legislation for all of the Board's regulations is found in Title 29.1 of the Code of Virginia. Regulatory actions are exempt from the Administrative Process Act, but through combination of basic law requirements, ORM process, and agency procedures and practice, follow a public input and review structure that is similar to the APA in several respects. The Department operates under the supervision of the Secretary of Natural and Historic Resources.

<b>Action/Stage or Guidance Document Forum ID:</b> Stage ID 10373, 10366, 10374	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Biennial Review of Aquatics Regulations	
<b>Brief Overview</b> At its May 23, 2024 meeting, the Board of Wildlife Resources initiated its biennial review of Aquatics Regulations, pertaining to freshwater fishing regulations and other regulations impacting freshwater aquatic species management. This meeting approved regulatory proposals to move forward to ORM review (under review at the time of this report) and subsequent public comment. This regulatory action affects 4VAC15-320, 4VAC15-330, and 4VAC15-360. Final Board action on proposals is expected to occur at the August 23 meeting, and published regulations would become effective January 1, 2025.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
<b>Additional Description</b>	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
<b>Deregulatory Component</b>	Reduces the stretch of a creek where anglers can only use single-hook artificial lures by approximately two-thirds, increasing angler options for tackle and bait choices on this stretch of water.
<b>Expected Date</b>	Proposals currently under ORM review. Effective date expected Jan. 1, 2025.

<b>Action/Stage or Guidance Document Forum ID:</b> Stage ID 10371, 10375, 10376	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Biennial Review of Boating Regulations	
<b>Brief Overview</b> At its May 23, 2024 meeting, the Board of Wildlife Resources initiated its biennial review of Boating Regulations, pertaining to equipment and operation requirements for recreational boats in the Commonwealth. This meeting approved regulatory proposals to move forward to ORM review (under review at the time of this report) and subsequent public comment. This regulatory action affects 4VAC15-380, 4VAC15-390, and 4VAC15-420. These amendments largely conform boating numbering & display terminology and requirements to recent amendments to the federal Code of Federal	

Regulations, action that is required of the Department as Virginia's recreational boating law agency. A proposal also clarifies a safety issue with vessel passengers riding on gunwales, increasing the agency's ability to successfully bring violations to court.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
<b>Additional Description</b>	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input checked="" type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
<b>Deregulatory Component</b>	There are no deregulatory components to these proposals; there are no increases in mandates or restrictions.
<b>Expected Date</b>	Proposals currently under ORM review. Effective date expected Jan. 1, 2025.

<b>Action/Stage or Guidance Document Forum ID:</b> Stage ID 10377	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Biennial Review of Non-Game & Endangered Species Regulations	
<b>Brief Overview</b> At its May 23, 2024 meeting, the Board of Wildlife Resources initiated its biennial review of non-game and endangered species regulations, pertaining to updating references to current federal and state listed species lists as well as adding cornsnake color morphs to those species considered domestic species. This meeting approved regulatory proposals to move forward to ORM review (under review at the time of this report) and subsequent public comment. This regulatory action affects 4VAC15-20.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
<b>Additional Description</b>	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input checked="" type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
<b>Deregulatory Component</b>	This action allows citizens to keep various color morphs of cornsnakes as domestic pets that are different than the wild variety, thus deregulating this species from total non-possession regulation. Only the accepted wild color morph of cornsnake is now illegal to possess; all others can be possessed as domestic animals.
<b>Expected Date</b>	Proposals currently under ORM review. Effective date expected Jan. 1, 2025.

<b>Action/Stage or Guidance Document Forum ID:</b> Stage ID 10290	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Tracking collars for bear or deer hunting with dogs.	

<b>Brief Overview</b>	
The proposal (new 4VAC15-40-310) would require the use of GPS tracking collars on dogs that are used to hunt deer or bear in the Commonwealth.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
<b>Additional Description</b>	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
<b>Deregulatory Component</b>	This is a new regulatory section and does not repeal any existing requirements/have a deregulatory component.
<b>Expected Date</b>	Currently in public comment phase. Final action expected in fall 2024.

<b>Action/Stage or Guidance Document Forum ID:</b> Stage ID 10291	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Reasonable efforts for deer and bear hunting with dogs.	
<b>Brief Overview</b>	
The proposal (new 4VAC15-40-320) would require that a hunter using dogs to hunt bear or deer in the Commonwealth make reasonable efforts to prevent his dogs from entering a landowner's property after receiving notification from either the landowner or a Conservation Police Officer that the landowner does not wish to have hunting dogs travel onto his land.	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
<b>Additional Description</b>	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
<b>Deregulatory Component</b>	This is a new regulatory section and does not repeal any existing requirements/have a deregulatory component.
<b>Expected Date</b>	Currently in public comment phase. Final action expected in fall 2024.

<b>Action/Stage or Guidance Document Forum ID:</b> TBD	
<b>Title of Proposed Regulatory Action or Guidance Document</b> Biennial Review of Wildlife Regulations	
<b>Brief Overview</b> The Department reviews all of its regulations on a rotating 2-year schedule, with Wildlife regulations in odd years, and Freshwater Fisheries and Boating regulations in even years. 2025 will mark the next Wildlife regulations review. During this process, issues such as hunting seasons and bag limits, lawful methods for hunting and trapping, response to wildlife disease, and general wildlife conservation regulations will be reviewed in light of species management goals, public input, and any changes to the Code of Virginia enacted by the 2025 General Assembly. While all wildlife regulations are open for review, typically this includes the following chapters: 4VAC15-20 (Definitions: In General); 4VAC15-30 (Definitions: Import, Possession); 4VAC15-40 (General); 4VAC15-50 (Bear); 4VAC15-90 (Deer); and 4VAC15-240 (Turkey). Though not typical, if any specific emergency matters related to freshwater fisheries or boating require an immediate response, they may be individually be considered through this process as well. Public comment on any proposed amendments to the regulations is solicited during the “scoping period” held during fall 2024 (in practice, similar to public comment on a NOIRA), upon proposal by the Board at its March 2025 meeting and during a formal public comment period that follows that meeting, and prior to final adoption by the Board at its May 2025 meeting (note that while the agency’s process include both the scoping period and a proposed rule, similar to the APA NOIRA and proposed stages, these actions are not technically within the APA process and the agency’s rulemakings are known as “exempt/final” actions for APA purposes).	
<b>Regulatory Stage (check one box)</b>	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
<b>Additional Description</b>	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
<b>Legal Authority</b>	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
<b>Deregulatory Component</b>	Unknown at this time. The biennial review process will review opportunities for streamlining and regulatory reduction during the course of this comprehensive periodic review, with potential topics to be determined.
<b>Expected Date</b>	Submission of approved proposals to AOG and ORM is within two weeks following the March 2025 Board of Wildlife Resources meeting. Submission of final regulations to OAG and ORM would likely be May-June 2025.