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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia Board of Wildlife Resources
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC15-110
VAC Chapter title(s)	Game: Fox
Action title	Gray fox hunting
Final agency action date	May 25, 2023
Date this document prepared	June 2, 2023

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

Prior to this action, regulations for hunting foxes in Virginia combined gray fox and red fox, providing the same hunting seasons for both species. Population trend data for gray foxes over the past few decades indicates a significant decline in gray fox populations, and separating the gray fox and red fox hunting seasons was warranted to reduce human-induced mortality. The regulation amendments separate the gray fox and red fox hunting seasons and reduce the gray fox hunting season. Other amendments establish a daily bag limit for gray foxes and require that gray foxes be causing damage to property or pose a threat to human health or safety before a landowner may kill or have killed a gray fox on land they own. No regulatory amendments were proposed or effected for the hunting of red foxes in Virginia.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The impetus for these regulatory amendments is the Board's biennial periodic review of its hunting, trapping, and wildlife-related regulations. Internal staff review, wildlife management and recreation goals, and consideration of public input through the Board's regulation review and amendment process deemed these amendments advisable.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The Board of Wildlife Resources adopted these final amendments to regulations found in 4VAC15-110 (Game: Fox) at its meeting held on May 25, 2023.