

**Wildlife and Boat Committee Meeting Minutes
Board of Game and Inland Fisheries
4000 West Broad Street, Board Room
Richmond, Virginia 23230**

February 5, 2009, 9:30am

Present: Mr. Richard E. Railey, Jr., Committee Chairman; **Absent:** Mr. Ward Burton and Mr. Charles Yates; **Director:** Robert “Bob” W. Duncan; **Senior Staff:** Ray Davis, Gary Martel, Dabney “Dee” Watts, Lee Walker, Bob Ellis, Charlie Sledd, Larry Hart.

Mr. Railey welcomed everyone and called the meeting to order at 9:30am. Mr. Railey noted for the record that a quorum was not present for this meeting and no motions or actions by the committee would be conducted during this time. Today’s meeting will be an informational briefing by the staff.

Approval of Minutes: Mr. Railey noted for the record a quorum was not present to approve the minutes of the October 8, 2008 Meeting Minutes. These minutes will be approved at the next committee meeting.

Update on the Quail Action Plan: Mr. Bob Ellis, Division Director, Wildlife Division, provided an update on the Quail Action Plan. The Plan will be presented to the full Board during the February 27, 2009 Meeting. Members of the Quail Focus Group and the Virginia Quail Council will also be in attendance at this meeting.

Mr. Ellis noted some of the major accomplishments of the staff and Partners of the Plan beginning February 2008-January 2009.

**Department and Partner’s Accomplishments
Related to Quail Action Plan
February 2008 – January 2009**

- Developed the Draft QAP, with review from major partners and citizens.
- Held organizational meeting to create the Virginia Quail Council (VQC). The VQC is composed of natural resource, utility, university, and NGO organizations that manage natural resources in Virginia.
- Developed and have received numerous signatures on the Memorandum of Agreement concerning partner participation with the QAP.
- Completed survey and technical report on Virginia farm owners in 5 geographic clusters (5000 total) (available upon request to all partners).
- Held 2nd meeting of the VQC (45 attendees – 22 organizations, many committed to serve on sub-committees to address issues).
- Completed developing a comprehensive website for quail managers. On line as of this report www.dgif.virginia.gov/quail/.
- Selected and began developing demonstration areas on Amelia and Powhatan WMAs, New Kent Forestry Center, and Fulfillment Farms (Wildlife Foundation of Virginia site, Albemarle).
- Completed the Upland Gamebird Trail Guide and it is in the February VW and on the Department’s web site.

- Selected proposed Quail Focus Areas and management team leaders.
- Inventoried and redistributed DGIF quail management literature. In conjunction with NRCS and CFSA – USDA senior staff conducted 4 fall “Wildlife Rallies” (October 22, 23, 29 and 30 to over the entire state, attended by an average of 50 conservation personnel from all agencies). The QAP and State Wildlife Action Plan were discussed in detail at all these rallies.
- Received commitment from USDA – NRCS senior staff to increase funding levels for early-succession habitat under the WHIP program (at their suggestion, their support has, is and will continue to be, crucial to the success of the QAP, as will that of FSA, SWCDs, VDOF and all partners).
- To further focus cost-share program efforts, have planned meetings with USDA, SWCD, DOF and other staff in Halifax and Sussex Counties to discuss promotion of the CP-33 Buffers for Bobwhites program (February).
- Partner USDA agency staff have updated conservation job sheets related to early-succession habitat management, and cost-share programs.
- Worked with Missouri DNR to obtain permission to reprint 300 comprehensive quail management DVDs, now available for staff, personnel from other agencies and private landowners.
- The Virginia Department of Forestry has established a Prescribed Fire Council, to promote the wise use of prescribed burning in Virginia.
- Completed survey of commercial hunting preserves willing to offer free, lottery style, youth or special bird hunts.
- Developed a comprehensive quail management guidebook for DGIF staff, presented to staff in October and purchased USB drives for all staff and pre-loaded them with comprehensive quail publications and presentations.
- Re-advertised AEP and Dominion ROW habitat programs
- Developed a comprehensive report on quail release systems and use.
- Remained engaged in the bio-fuels community.
- I & E staff have developed new, eye catching, “Quail Banners” for use in agency displays at events such as the Outdoor Sportsmen’s Show, Salem Sportsmen’s Show, Wildlife Rallies.
- Through the Conservation Management Institute, developed the VQC listserv to foster communication with the VQC members (88 contacts on the list so far).
- Updated lists of seed suppliers and burning contractors.
- Reprinted 1,000 copies of Pine management brochure until a new, updated version can be created.
- Purchased state of the art food plot books for all staff.
- Completed herbicide application and preliminary vegetation analysis on all sites of the Amelia Oak Savanna Pilot Research project.
- Completed quail covey surveys on demonstration sites.
- Completed quail, rabbit and squirrel status report for staff and public.
- Met with Division of Mines, Minerals and Energy in Southwest Virginia with coal company representatives to discuss quail and grouse management on mine reclamation sites (October 21st, 2008). Included personnel from DMLR, VDOF, QF, Division of Gas and Oil, Alpha Natural Resources, the Ruffed Grouse Society, and D.R. Allen and Associates.
- Participating in a quail disease study, via University of Georgia and SCWDS focused on coccidiosis presence, severity and varieties in wild quail throughout the southeast

(Virginia QU members are helping collect samples this hunting season) with interest from researchers at Virginia Tech to expand the study.

During the February Board Meeting, the Virginia Quail Council will sign on additional participants for the MOU. Mr. Ken Carter will also be recognized by the Agency for his 30+ years of experience and service with the Natural Resources Conservation Service. Mr. Carter has agreed to sign on to the MOU for NRCS

Mr. Ellis thanked Mr. Gary Norman and Mr. Mark Puckett for their assistance with the Plan. The staff is working within its budget but additional funding will be needed to continue to implement the plan.

Mr. Railey thanked Mr. Ellis and the Wildlife staff for their efforts in preserving the Quail.

Review of Preliminary Staff Recommendations for the 2009-2010 Hunting and Trapping Regulation Amendments

Mr. Bob Ellis presented the Staff Recommendations for the 2009-2010 Hunting and Trapping Regulation Amendments. Mr. Ellis outlined the current regulation process:

Issue Scoping Period	September –October 2008
Issue Public Discussion Period	November 4, 2008-Jan 5, 2009
Staff Recommendation Development	January 6, 2009-February 12, 2009
Regulation Recommendation Board Meeting	February 27, 2009
Regulation Proposal Public Comment Period	March 11, 2009 – May 11, 2009
Regulation Proposal Final Action Board Meeting	June 2, 2009

During the Regulation Proposal Comment Period, public meetings will be held in all five of the DGIF Regional Areas. The proposed schedule and locations are:

Region 1

March 25 – Franklin, VA.

March 26 – Warsaw, VA.

Region 2

March 24 – Farmville, VA

April 1 – Chatham, VA.

Region 3

March 24 – Abingdon, VA

March 31 – Christiansburg, VA

Region 4

March 23 – Woodstock, VA

March 26 – Buffalo Gap, VA

Region 5

March 23 – Warrenton, VA

March 24 – Richmond, VA.

The staff will recommend to the Board during the presentation that these locations and days be approved.

The Wildlife Staff adopted these principles in developing the staff's proposed recommendations:

- Resource First
- Utilize best science in decision making
- Achieve population objectives
- Consider biological, sociological, economical, political and enforcement impacts
- Maximize hunting recreation
- Equitable distribution of recreation
- Simplify regulations

DEER

Deer – Either Sex Hunting

Recommendation: Adjust the number of either – sex hunting days within deer management units (i.e., counties)

Rationale:

Either-sex hunting days are used to achieve population goals

Areas likely to see additional either-sex days

Southern Piedmont

Northern Neck

Northern Piedmont

Deer - Firearms

Recommendation: Include western portion of Pittsylvania County in 7-week firearms season

Rationale:

Request from Pittsylvania County Board of Supervisors

Legislation introduced to make this change

Provide additional recreational opportunity for deer hunters in western Pittsylvania

Deer - Archery

Recommendation: Allow a properly licensed muzzleloader hunter to possess a muzzle loading gun during the special early archery season when the special early archery season overlaps with the special early muzzleloader season.

Rationale:

Requests to allow both a muzzle loading and archery tackle to be used when seasons overlap

Currently a hunter must choose which weapon to use

Reduces confusion

Deer – Muzzleloader

Recommendations:

1. Change either-sex deer hunting day during early muzzleloader WBR from 2nd Monday to 2nd Saturday
2. Increase buck bag limit from 1 to 2 during early muzzleloader WBR
3. Reduce either-sex hunting days during late season on public lands WBR

Rationale:

1. Changing either-sex day to Saturday
 - increase recreational opportunities for hunters
 - additional antlerless harvest on private lands
2. 2 buck bag limit favored by deer hunters
3. Concern for deer herds on public lands WBR justify fewer either-sex days

Recommendation:

Remove Pittsylvania from late muzzleloader season

Rationale:

Housekeeping issues – Pittsylvania has long firearms season

Deer Bonus Permits

Recommendation (non-regulatory):

Increase # of tags on bonus permits from 2 to 6

Rationale:

Requests for additional tags on permit
Improve ability for site-specific deer population control

BEAR

Bear – Archery

Recommendation:

Make archery bear season concurrent with archery deer season-statewide

Rationale:

Reduce confusion and simplify regulations for bow hunters
Provide additional recreation opportunities
Limited impact on harvest in most areas

Recommendation:

Allow a properly licensed muzzleloader hunter to possess a muzzle loading gun during the special early archery season when the special early archery season overlaps with the special early muzzleloader season.

Rationale:

Requests to allow both a muzzle loading and archery tackle to be used when seasons overlap
Currently a hunter must choose which weapon to use
Reduces confusion

Bear Muzzleloader

Recommendations

1. Open 17 counties, or portions thereof, to muzzleloader hunting
2. Extend existing muzzleloader hunting season by 2 or 8 days

Rationale:

Requests for additional bear muzzleloader hunting opportunities
One of the several measures to address population growth in the state

Bear – Firearms

Recommendations

1. Open 35 counties to 6-week firearms season
2. Open 20 counties to 1-week firearms season
3. Open 9 counties to September firearms season

Rationale:

Request for additional hunting opportunities in new areas
One of several measures to address population growth in the state

Bear – Training Seasons

Recommendations:

1. Remove final week from Aug-Sept. chase season
2. Remove final week from December chase season

Rationale:

September firearms season will replace final week of Aug-Sept chase season
1 - week firearms season in Southern Piedmont/Tidewater will replace final week of December chase season

Recommendations:

Make weapon possession language consistent with raccoon training season regulation

Rationale:

Request from DGIF Law Enforcement Staff
Consistent language would reduce confusion
No impact on recreational opportunity

Current Weapons Possession Language:

It shall be unlawful to have in immediate possession a firearm, bow, or any weapon capable of taking a black bear while participating in the bear hound training season.

Proposed Weapons Possession Language:

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 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.

Bear

Recommendation:

1. Include Roanoke County (south of Interstate 81) in list of areas closed to hound hunting for bears in 15-50-110
2. Remove duplication and clarify portion of Roanoke County (i.e., south of Interstate 81) closed during the bear hound training season in 15-50-120

Rationale:

Make regulation language consistent with Board approved regulation changes

TURKEY

Recommendation:

Require telephone or online checking during spring gobbler season

Rationale:

Provide harvest data in a more timely fashion

Should be convenient for hunters

62% of check stations register ≤ 5 birds during spring season

Substantial cost savings

SMALL GAME

Recommendation:

Expand June Squirrel season to private lands

Rationale:

Requests to expand June squirrel season to private land

Increase recreational opportunity

Recommendation:

Open 6 counties to hunting for fox squirrels

Rationale:

Populations continue to expand into new areas along east slope of the Blue Ridge

Public interest in opening new areas to hunting for fox squirrels

FURBEARERS

Furbearer - Otter

Recommendation: Open otter trapping season in all counties WBR

Rationale

Otter populations are growing and expanding WBR
Allow additional recreational opportunities for trappers
Provide additional data to DGIF on otter population growth and expansion

Furbearer – Raccoon

Recommendation: Allow raccoon chase season on public lands in Southwest Virginia during the Aug-Sept. bear hound training season

Rationale:

Limited opportunity to chase raccoons on public lands in western Virginia
Requests to provide additional raccoon chase opportunities in Southwest Virginia
No biological concerns as bear hound training season is already open.

Furbearer

Recommendation: Increase snare height to 24”above ground and require stops on snares

Rationale:

Requested by Virginia Trappers Association
More effective means of trapping coyotes
Stops will reduce capture of non-target species

Recommendation: Prohibit use of foot-hold traps with teeth located on the jaws of the trap

Rationale:

Current regulation only prohibits use “above-ground”
Consistent with trapping BMP’s

Recommendation: Eliminate requirement to seal bobcat and otter pelts shipped out-of-state for tanning purposes

Rationale:

Pelts need sealed with CITES tag to be shipped out-of-state for any reason
Seals complicate tanning process
Will not violate CITES requirements

Recommendation: Amend trap tagging requirement to include tags with permanent ID number

Rationale:

HB114 was passed last year allowing the marking of traps with a permanent ID number issued by the Department. The current regulation which only allows for the name and address information on tags is now in conflict with code.

Furbearer - Continued

Recommendation: Change trap checking requirement from 24 hours to 72 hours for submerged, body-gripping traps

Rationale:

Requested by Virginia Trappers Association

HB 115 authorized DGIF to allow 72 hours trap check for completely submerged, body-gripping traps

Currently allowed for use by USDA and nuisance control work

GENERAL REGULATIONS

General - “Cased Gun Law”

Recommendations

1. Include crossbow in regulation
2. Include definition of loaded crossbow
3. Modify definition of loaded muzzleloader

Rationale:

Request from DGIF Law Enforcement

Clarify weapon types covered under the regulation

Update definition of loaded weapon to reflect technological advances

Firearms

Recommendation

Allow unplugged shotguns for crow hunting

Rationale

HB 2309 enabled DGIF to change the requirements for shell capacity in shotguns

Shell capacity was changed for resident species in 2007

Requests to use unplugged shotguns for crow hunting

Federal crow hunting laws do not address shell capacity in shotguns and allows states to regulate

Mr. Ellis stated this concludes the staff’s recommendations. Mr. Railey thanked Mr. Ellis and the Wildlife Staff for their recommendations.

Mr. Railey called for Public Comments on the staff’s recommendation.

Mr. Steve Fritton gave the following presentation regarding the staff’s recommendations for Turkey. Mr. Fritton is the Past President of Richmond Chapter of the National Wild Turkey Federation.

I am respectfully asking that one more day, Saturday, be added to the early two-week fall turkey hunting season.

Our current early fall season allows for twelve days of hunting. The season starts on a Saturday and runs for twelve consecutive hunting days and then goes out on Friday. Instead, bring it in on Saturday, and then take it out two weeks later on Saturday instead

of Friday. This would then include three consecutive Saturdays, making thirteen full days of hunting.

The number of kills from one more day of early fall turkey season will be more than off-set by the changes in our December or second fall season. Our turkey populations are continuing to reach record numbers and the adoption of one more Saturday will be far more beneficial than harmful for all the hunters of Virginia.

This additional day would provide many hunters increased opportunity to enjoy the fall pursuit of turkeys. Many Virginia citizens are unable to hunt on weekdays including: (1) school age youth, (2) College students, and (3) weekday workers (who can only hunt on Saturdays).

In the past, our early fall season came in on a Monday and went out on a Saturday (two-weeks...two Saturdays...twelve days). Turkey hunters are thankful that the season now comes in on a Saturday, allowing youth, college students, and working hunters (that are only able to hunt on Saturdays) to enjoy participating in the anticipation and excitement of the opening day of fall turkey hunting.

In addition, the early fall season is the best time to hunt turkeys and would benefit from additional day. It is quality hunting time before the influx of other hunters. The woods are quiet and there are fewer interruptions from hunters seeking other types of game.

Fall turkey hunting is unique. It involves scattering turkeys, building a blind, and calling the turkeys back. These steps are not necessarily accomplished on the same day, especially if there is a late day flush. In cases where a late day flush occurs, dawn the following day is an excellent time to be in the woods and to enjoy the awakening of the forest wildlife with turkeys calling all around the blind built the day before. The additional Saturday would enable the completion of hunts begun late on Friday.

This past year, I donated several auction hunts for local chapters of the National Wild Turkey Federation Association. It was one of these auction hunts that was scheduled for the final Friday of the early season. The flush occurred late and the hunt was unable to be completed the following day. The ability to have finished this hunt on Saturday would have been welcomed.

In previous years, east of the blue-ridge the last week of deer season and turkey season were the same (this is not good quality time to be turkey hunting). This week put a lot of hunters in the woods because of the holidays. A tremendous amount of turkeys were killed by hunters who are not turkey hunting. A big drawback to other hunters shooting turkeys is that a large number of turkeys die days and weeks later because of crippling after being shot with buckshot. The pellet rips through the body, and unless it hits a vital organ, the bird continues to fly or runs off. The turkey becomes easy prey for a hungry predator or dies a prolonged death from infection.

This past fall season (east of the blue-ridge) our second season was moved up one week. It came in one week earlier and went out one week earlier. The commission and agency is applauded for making this move. The result is more quality time in the woods, with the first week in December being far better than the last one.

In conclusion, one additional day of quality turkey hunting for the early fall turkey season is requested. The early fall season would then include three Saturdays and would allow increased numbers of hunters who are unable to hunt on the weekdays to

participate in this sport that supports continued wildlife conservation in Virginia. Thank you for your consideration of this request.

Mr. Fritton presented these two possible proposals for consideration by the Commission:

- 1. Add one more day to the early fall turkey hunting season, making a total of 13 hunting days including 3 consecutive Saturdays. Last year the season began in the last week of October on a Saturday and stayed in for two weeks (twelve hunting days). Adding one more Saturday would increase the season by one day only creating additional opportunities for those Virginians that can only hunt on Saturday (Although Muzzle loading season overlaps for one day, the vast majority of hunters enjoying this type of hunting will not jeopardize the first hunting day for a big buck by shooting at turkeys).*
- 2. This proposal is the same as number 1 with the addition of a ban on any shot larger than #2 for the harvesting of turkeys (Buckshot, muzzle loading, or rifle caliber). This is the same regulation that is in effect during the spring turkey hunting season and would increase safety and success of the harvest in the fall as well as the spring.*

Mr. Fritton asked that a copy of his proposal be sent to the Board. Mr. Fritton asked how he could make his proposal(s) a formal request. Mr. Fritton was advised by Mr. Duncan and Mr. Ellis that he could make his request during the Public Comment Period during the February 27, 2009 Full Board Meeting

Mr. Railey and Mr. Duncan thanked Mr. Fritton for his report. Mr. Duncan stated those who know Mr. Fritton know him as “Mr. Turkey”. Mr. Fritton is a strong advocate for spring and fall turkey hunting. Mr. Duncan stated Mr. Fritton was installed into the Virginia Chapter of the Wildlife Turkey Federation Hall of Fame.

A brief discussion was held between the Committee Chairman, Wildlife Division and Mr. Fritton.

The Chairman called for a 5 minute recess at 10:40am and the Chairman called the meeting back to order at 10:51am.

Legislative Update: Mr. Railey called upon Mr. Charlie Sledd to present a legislative update. Cross over day is Tuesday, February 10, 2009. The Agency had an active lead on 26 bills and these have been posted to the Agency Web site. Ten bills are no longer moving forward and there are currently 16 active pieces of legislation related to the Agency. Two of the remaining 16 bills are agency bills for this session – Special Conservation Police Officers and the Wildlife Violator Compact.

Mr. Sledd also provided a brief update on the budget bill and what that includes that might affect the agency.

Update on Chronic Wasting Disease and Avian Influenza Surveillance: The Chairman called upon Mr. Bob Ellis to give a brief update on the Chronic Wasting Disease and Avian Influenza Surveillance.

In the fall of 2007, CWD Detection in West Virginia showed a positive case in Hampshire County approximately 2.5 miles from Virginia Board. This prompted the establishment of the Response Surveillance Area during the fall-winter 2008. The established Mandatory Sampling Area and Mandatory Sampling days were: November 1, 2008 (opening of black powder season); November 15, 2008 (opening general fire arms); November 17, 2008 and January 3, 2009 (last day of deer season). VDGIF staff collected samples from 3 stations on the dates above from Gore Grocery; Graden's Supermarket; T & R Deer Processing (samples were collected from T & R on 2 additional days). Road-killed deer were collected by CWD Technician from Surveillance Area in November; 2 self-service drop-off locations for hunters to submit heads for testing: Winchester-Frederick County Conservation Club and the Virginia Department of Forestry Office in Woodstock. The goals for the 2008-2009 Sampling were to: (1) obtain 100 samples from free-ranging white-tailed deer within Active Surveillance Area; (2) obtain 200 samples from free-ranging white-tailed deer within Response Surveillance Area; and (3) Minimum of 300 samples needed for statistical validity. The test results showed that CWD was not detected in Virginia.

Chronic Wasting Disease was detected in 6 positive cases in Hampshire County, West Virginia in the fall of 2008. Another positive case was located within 5 miles of the Virginia Border. A new response surveillance area in northwestern Frederick County has been set up and 13 samples were taken.

The recommendations for Fall 2009 are:

Sample goals:

- 1000 samples from Active Surveillance Area in Shenandoah and Frederick Counties (west of I-81 and north of Route 675).
- No additional sample goals (initially) for the two Response Areas, but will assess the sample totals in these areas after hunting season and determine if additional samples are needed.
- Still working on details on best way to increase our sample size to reach our goal
- In order to achieve sampling goals, we may need to require hard check for all deer harvested within the Active Surveillance Area on mandatory sampling days (opening of early muzzleloader, first two days of general firearms, and last day of deer season).
- A message would be recorded on the telephone checking system to inform anyone who attempts to check a deer by phone. Several big game check stations and T & R Deer Processing will be staffed on mandatory sampling days.

A brief discussion was held between the Bob Duncan, Director and Bob Ellis, Wildlife Director on the sampling process for Virginia.

Update on the Fisheries Divisions Capital Projects: The Chairman called upon Mr. Gary Martel of the Fisheries Division for a status report on the Fisheries Capital Projects. Mr. Martel stated Coursey Springs Hatchery is about 40 % complete and is on target for completion. The Laurel Bed Lake project is almost complete and the safety issues have been fixed. The Lake will be drawn back down to install fishing structures and piers.

Mr. Duncan has conducted a site visit to Coursey Springs Hatchery and is pleased with the progress.

Mr. Railey thanked Mr. Martel for his report.

Update on the Governor's Commission on Climate Change: The Chairman called upon Mr. David Whitehurst for an Update on the Governor's Commission on Climate Change. Mr. Whitehurst stated the Governor's Commission has completed its report and makes reference to the Agency and the Agency's Wildlife Action Plan. Mr. Whitehurst also provided an update on the Agency activities regarding Climate Change. Mr. Whitehurst announced the Climate Change Workshop that will be held at Sweet Briar College on March 10, 2009. All of the Wildlife and Boat Committee Members, Ms. Pollard and Ms. Crumley should have or will be receiving invitations to this event. This is a follow-up from the 2 day conference held last fall. Mr. Whitehurst noted that Climate Change is also the focus of the National Fish and Wildlife Agency.

Mr. Whitehurst also gave a brief update on the White Nose Bat Syndrome.

Mr. Railey thanked Mr. Whitehurst for his report.

Additional Comments/Business: Mr. Duncan once again thanked the Wildlife Staff for their efforts in bringing for the Staff's recommendations for 2009-2010. Mr. Duncan thanked Charlie Sledd for his time and coordination of General Assembly Legislation.

There being no further business, the meeting was adjourned at 11:21am.

Respectfully submitted,

Beth B. Drewery
Board Secretary