

**WILDLIFE AND BOAT COMMITTEE MEETING MINUTES
4016 WEST BROAD STREET
RICHMOND, VIRGINIA
MARCH 12, 2007, 3:30 p.m.**

Present: Jimmy Hazel, Chairman, John Montgomery, Board Chairman, Sherry Crumley, Madam Vice Chair, Billy Greer, Richard Railey, Charles Yates. **Director:** J. Carlton Courter, III; **Senior Staff:** Bob Duncan, Mike Bise, Gary Martel, Virgil Kopf, Ray Davis, Charlie Sledd, David Whitehurst. **Absent:** Ward Burton.

Chairman Hazel called the meeting to order at 3:30pm.

Approval of Minutes: The minutes of the August 21, 2006 meeting have been made available to the Committee members and posted on the Agency's web site. Motion made and seconded for approval of minutes. **Ayes: Jimmy Hazel, Billy Greer, Richard Railey, Charles Yates.**

The minutes of the December 7, 2006 meeting have been made available to the Committee members and posted on the Agency's web site. Motion made and seconded for approval of minutes. **Ayes: Jimmy Hazel, Billy Greer, Richard Railey, Charles Yates.** Chairman Hazel requested the minutes be amended to reflect the deletion of a constituent's numeric street address. Motion made and seconded to approve the minutes as corrected. **Ayes: Jimmy Hazel, Billy Greer, Richard Railey, Charles Yates.**

Virginia White-Tailed Deer Management Plan. The staff presented the Virginia White-Tailed Deer Management Plan for 2006-2015 written by a citizen's task force. This plan becomes the staff recommendations for deer management in Virginia. A primary improvement of this plan offers flexibility in updating the objectives and strategies during this 10 year period. The plan requires staff to review the plan every 2 years in conjunction with the current regulatory process. The staff is requesting approval of the plan as presented during the March 27, 2007 Board meeting.

The Committee heard the following presentations regarding preliminary concepts for Regulations.

The staff presented the following Wildlife Diversity concepts for preliminary regulation:

(1) Ban on the sale, etc. of turtles under a specific size

Staff consideration: Establish a new regulation, similar in intent to 4 VAC 15-260-30, that notes that a violation of this federal law and corresponding regulations related to the sale, holding for sale, or offering for any other type of commercial or public distribution constitutes a violation of state regulation.

(2) Liberation of Certain Captively-Held Native Fish and Wildlife

Staff consideration: Allow for liberation of native nongame fishes, amphibians, and reptiles that were collected within the Commonwealth under certain conditions. These conditions may include captivity limited to a 30-day period; animals to be liberated at the site of capture; animals to be housed separately from other wild-caught and domestic animals; and euthanasia of animals that are symptomatic of disease or illness or have sustained a life-threatening injury. This regulation would not apply to "naturalized species" of reptiles and amphibians or native species of reptiles and amphibians captured outside of the Commonwealth of Virginia or state and federally listed species. All existing regulations will continue to apply.

(3) Threatened and endangered species - Additions/changes to the list of state listed endangered and threatened wildlife species.

Staff consideration:

- Addition of the pistolgrip mussel (*Tritogonia verrucosa*) as stated threatened, due primarily to substantial declines in population numbers in the past 30 years (this species is known only from the mainstem New River)
- Addition of the Big Sandy crafish (*Cambarus veteranus*) as state endangered, due primarily to its extremely limited distribution in Virginia (Russell Fork-Dickenson County and Levisa Fork-Buchanan County) and sensitivity to impacts from coal mining and sewage-related discharges;
- Update of the current list, changing the name of the state threatened Tippecanoe darter (*Etheostoma Tippecanoe*) to the golden darter (*Etheostoma denoncourtii*), resulting from a change by taxonomists.

(4) Possession of wildlife - "grandfather" provisions for certain wildlife.

Staff consideration: Implementation of a permit mechanism to allow the continued possession of animals held on or before June 30, 2006, that are no longer allowed to be collected without a permit and allow for the transfer of animals of these four species that are no longer wanted to another location.

(5) Updates to Virginia's List of Native and Naturalized Species

Staff consideration: Update reference to the list of "Native and Naturalized Fauna of Virginia" in regulation to reflect current information.

The staff stated they do not anticipate any major changes or additions to these proposals.

The staff presented the following Fisheries concepts for preliminary regulation:

(1) Walleye minimum size on Middle Fork Holston and South Fork Holston rivers.

Staff consideration: Establish a "No walleye less than 18 inches" regulation in the Middle Fork Holston and South Fork Holston rivers. This would protect the walleye population in South Holston Reservoir during the annual spawning run and eliminate the need to define the boundary between the reservoir and the rivers for the purpose of enforcing the existing minimum length limit.

(2) Demarcation lines for "No possession (catch and release only)" of American shad and hickory shad.

Staff consideration: Correct the "No possession (catch and release only)" demarcation lines for American shad and hickory shad by adding "above Harvell Dam" after "Appomattox River" and adding "and the Mattaponi River" after Pamunkey River.

(3) Demarcation line on the Rappahannock River for "No possession (catch and release only)" of anadromous (coastal) alewife and blueback herring.

Staff consideration: Modify the regulation demarcation line for anadromous (coastal) alewife and blueback herring on the Rappahannock River by adding "the remnants of" before "Embrey Dam." By making this read "the remnants of Embrey Dam," it will establish that the north and south shore abutments (historic remnants left after dam removal) now mark the regulation demarcation line.

(4) Releasing (culling) trout that have been creeled.

Staff consideration: Amend the general trout creel limit and Urban Fishing Program regulations to clarify that once trout are caught and taken into possession by an angler, these trout become part of that angler's daily creel and cannot be released (culled).

(5) Artificial lure with single hook definition for special regulation trout waters.

Staff consideration: Add language to the Artificial Lure definition to clarify that a multiple number of single-hooked artificial lures, such as dropper flies, fished in a series, may be used in single-hooked artificial lure only, special regulation trout waters.

(6) Jackson River special regulation trout section.

Staff consideration: Remove the special trout regulation section of the Jackson River from the "16-inch minimum size (no trout less than 16 inches), 2 trout/day, only artificial lures with single hooks" special regulation trout streams (4 VAC 15-330-120) and add it to the existing special Jackson River regulation (4 VAC 15-330-171), in order to make it legal to use multiple-hooked artificial lures on this portion of stream.

(7) Fishing with bow and arrow.

Staff consideration: Add the word "common" to go with "carp", add northern snakehead to the list of fish that can be taken with a bow and arrow, and remove "crossbows" from the prohibited type of bows and arrows that can be used for fishing.

The staff does not anticipate any major changes to these concepts.

The staff presented the following Hunting and Trapping (Wildlife) concepts for preliminary regulations:

DEER Concepts:

(1) Address deer population objectives through antlerless deer harvest.

Staff consideration: Consider changes to the number of antlerless deer days of hunting in each county based on deer plan objectives.

(2) Western Rockingham County public and private land declining deer populations.

Staff consideration:

- Consider changes to the firearms deer season in western Rockingham county, such as reducing private land either-sex days west of an identifiable geographic boundary (e.g. road, stream), reducing public land either- sex days, and aligning either-sex days on public and adjacent private lands.
- Consider non-regulatory approaches, such as educational efforts among multiple stakeholders in the area and continued cooperation with the U. S. Forest Service to increase habitat management activities.

(3) Northern Virginia additional deer harvest needs.

Staff consideration:

- Consider alternative season structures and strategies to increase the antlerless harvest, such as extending the late antlerless-only firearms season, establishing an early antlerless-only firearms season, instituting a requirement to harvest an antlerless deer before harvesting a second antlered deer (e. g., earn-a-buck), removing daily antlerless bag limits, and establishing an allowance for antlered deer mistaken for antlerless deer during antlerless-only seasons.
- Consider non-regulatory approach approaches, such as educational efforts among multiple stakeholders in the area and reducing the price of bonus antlerless tags.

(4) Bedford County area additional deer harvest needs.

Staff consideration:

- Consider alternative season structures and strategies to increase the antlerless harvest, such as extending the late antlerless-only firearms season, establishing an early antlerless-only firearms season, instituting a requirement to harvest an antlerless deer before harvesting a second antlered deer (e.g., earn-a-buck), removing daily antlerless bag limits, and establishing an allowance for antlered deer mistaken for antlerless deer during antlerless only seasons.
- Consider non-regulatory approaches, such as educational efforts among multiple stakeholders in the area and reducing the price of bonus antlerless tags.

(5) Late muzzleloader season in eastern Suffolk.

Staff consideration: Consider including Suffolk County east of the Dismal Swamp line in the late muzzleloader deer season.

BEAR Concepts

Streamlining bear checking procedures.

Staff consideration: Consider changes to bear-checking procedures that are cost effective, provide additional hunter convenience, and maintain the integrity of data necessary for management needs. These changes may involve regulatory proposals, but could simply entail a modification of existing checking processes.

TURKEY Concepts

(1) Change in the timing of fall turkey season

Staff consideration: Consider a change in the timing of the last segment of the late fall turkey season by starting one week earlier and ending one week earlier.

(2) Opening fall turkey season in counties currently closed.

Staff consideration: Consider providing a 2-week fall season in counties currently closed to fall hunting.

TRAPPING AND FURBEARERS Concepts

(1) Clarify Maximum Jaw Spread Restrictions for Foot-Hold Traps

Staff consideration: Consider clarifying regulation by specifying that the maximum spread be measured to the inside of the jaw.

(2) Streamlining Checking and Tagging Requirements for Bobcats and Otters.

Staff consideration: Consider removing the requirement for sealing bobcats that are tanned or mounted but continue to require sealing of all bobcat and otter fur bought, sold, traded, bartered, or transported out of state. Set up an electronic check-in system

(internet and phone) for hunters and trappers who would prefer this method, but also continue "hard checking" with current CITES tag report forms. Checking would be mandatory so that the Department would continue to get complete harvest information (including animals that are not required to be sealed).

(3) Use of Electronic Calls on National Forest

Staff consideration: Consider removing the restriction of using electronic calls for coyotes and bobcats on National Forest lands.

(4) Shooting Pistol or Rifle over Public Inland Waters

Staff consideration: Consider allowing trappers to carry and use a small caliber firearm to dispatch trapped animals in public waters.

(5) Foxhound training preserves

Staff consideration: Consider allowing coyotes to be stocked in fox hound training preserves that meet certain fencing and size criteria.

General Wildlife Issues

(1) The use of non-toxic shot for rails, snipe, gallinules, moorhens and mergansers.

Staff consideration: Consider including rails (Clapper, King, Sora, and Virginia), snipe, moorhens and gallinules and specify mergansers to the list of species requiring the use of non-toxic shot for hunting.

(2) The prohibition of captive-reared mallard releases except as permitted.

Staff consideration:

- Consider prohibiting the release of captive reared mallards into the wild unless specifically allowed by department regulation or permit.
- Consider the release of captive reared mallards only on shooting preserves permitted for tower shoots.

(3) Shotgun shell capacity for hunting non migratory and migratory game.

Staff consideration:

- Consider removing the requirement to have shotguns plugged to a 3 shell capacity for hunting of non migratory game.
- Consider authorizing the Board to allow unplugged shotguns for the taking of resident geese and snow geese as prescribed in Federal regulations.

The Wildlife staff was requested to consider the issue of allowing dogs to be utilized by hunters in the tracking and retrieval of wounded deer.

Boating Issues:

The staff indicated that no changes had been anticipated during this regulatory cycle for the boating regulations. However, HB 2031 from the 2007 General Assembly Session will require the Board to promulgate regulations applicable to the commercial operations of parasail operators. While the bill does not become effective before until July 1, 2007, the staff is currently working to have these regulations considered during the upcoming regulatory cycle. Staff also provided information to the Committee about amendments for two regulations (4 VAC 15-20-200 and 4 VAC 15-30-5) that pertain to the permits program and permitting. Both are technical housekeeping type issues.

Chairman Hazel thanked everyone for their review of the proposed concepts.

Informational Briefing - George Washington National Forest - The staff provided an informational briefing on the George Washington National Forest. The U. S. Forest Service has decided to revise their long range forest management plan. The staff is currently working with a committee to provide Virginia comments on the draft plan. Upon completion of the group's comments on the national draft plan, they will bring them before the committee for review. The national plan should be completed by September 2008.

The staff also stated they would soon begin work on the Agency forest management plan for the Commonwealth.

Sunday Hunting Survey - The staff provided an overview of the Sunday Hunting Survey. The survey was sent to 5000 resident hunters. 2,950 people responded. The staff is currently preparing a final report. Several bills presented on Sunday Hunting during the 2007 General Assembly did not make it out of the sub-committee during the Session. The Board and Staff continue to work on this issue during the next year.

The next committee meeting will be May 8, 2007 at 1:30pm

There being no additional business the meeting was adjourned at 5:34pm

Respectfully submitted,

Beth B. Drewery
Board Secretary