

**Board of Game and Inland Fisheries
4000 West Broad Street
Richmond, Virginia 23230**

**July 15, 2008
9:00am**

Present: C. T. Hill, Chairman, Dr. William T. Greer, Jr., Vice-Chairman, Mary Louisa Pollard, John W. Montgomery, Jr., Richard E. Railey, Jr., Ward Burton, Sherry Smith Crumley, Randy Kozuch, Charles Yates, Thomas Stroup and James W. Hazel; **Director:** Robert “Bob” W. Duncan; **Legal Counsel:** Roger Chaffe; **Senior Staff:** Gary Martel, David Whitehurst, Charlie Sledd, Ray Davis; Lee Walker.

The Chairman welcomed everyone and called the meeting to order at 9:00am. The Pledge of Allegiance was lead by Mr. Tom Stroup and the Mission Statement was read into the minutes of the meeting by Mr. John W. Montgomery, Jr. The Chairman noted for the record that a quorum was present.

Recognition of Employees and Others: The Chairman called upon Mr. Bob Duncan for the Recognition of Employees. Mr. Duncan recognized Mr. Charlie Sledd of the Boating Safety Unit to introduce Mr. Tom Guess. Mr. Guess is the Boating Safety Education Coordinator.

Mr. David Whitehurst introduced Mr. James Husband who is the new manager of the Fish and Wildlife Information Services Program.

The Chairman thanked Mr. Hazel for serving as Chairman for the past year and presented gifts of appreciation for his service from the Board. Mr. Hazel thanked everyone for the gifts.

Public Comments-Non-Agenda Items: The Chairman stated those who had registered to speak on agenda items would be recognized during those portions of the meeting. The Chairman stated if you are representing a group or organization, you have 5 minutes and if you are speaking as an individual, you have 3 minutes.

Mr. Ken Oliver, Marine Corps Base, Quantico, Virginia, spoke regarding a 10 acre parcel of land adjacent to Merrimac Farms located in Prince William County, Virginia. Mr. Oliver requested the agency to form a partnership with the Marine Corps Base to complete the partnering encroachment project. They are looking forward to working with the agency in the future.

Ms. Kim Hosin, Prince William Conservation Alliance, Prince William, Virginia, thanked the Board for their support of Merrimac Farms. Ms. Hosin gave an update on the activities of Merrimac Farms. Ms. Hosin said the Prince William Conservation Alliance

was in support of the encroachment project by the Marine Corps Base for the 10 acre parcel of land adjacent to Merrimac Farms.

Mr. Floyd Smith, Goochland, Virginia spoke regarding the preservation of rabbits.

Approval of Minutes: The Chairman stated the minutes of the meeting have been distributed for review and posted to the web site. He called for discussion and approval of the June 3, 2008 minutes. **Dr. Greer made the motion for the minutes to be approved as submitted. Motion seconded by Ms. Crumley. Ayes: Pollard, Greer, Montgomery, Railey, Burton, Crumley, Hill, Kozuch, Yates, Stroup and Hill.**

Amendment to the Board Governance Manual: The Chairman called upon Mr. Charlie Sledd to present for final adoption the Board Governance Manual Amendment regarding the allowable term of office for the Board Chair and Vice-Chair. The current APA Audit has presented to staff a possible finding that shows the Board Governance Manual to be inconsistent with the Code of Virginia regarding the allowable term of office for the Board Chair and Vice-Chair. The issue has been addressed by the Education Planning, and Outreach Committee at its meeting on May 22, 2008, has been first presented to the full Board at its meeting on June 3, 2008, and will need to be approved by the full Board for final adoption today. The amendment reads:

Proposed technical/housekeeping amendment on Page 17 of the Board Governance Manual to correct an inconsistency between the language that was approved when the manual was approved on December 14, 2005 and a legislative change in § 29.1-102 of the Code of Virginia that occurred during the 2006 General Assembly Session.

While the Governance Manual is scheduled for its required review later in 2008 (per Section X - pages 44-45), this change is being brought forward at this time because the inconsistency has been noted by the APA Auditors.

B. Officers

Officers of the Board will consist of a Chairperson (~~§29.1-102.C~~) and a Vice-Chairperson (~~§29.1-103.D~~) (§29.1-102.C). The Chairperson will appoint a Nominations Committee that will develop a slate of candidates for both positions and present it to the Board at the Board's second meeting of the calendar year. The Chairperson will entertain a motion to accept the Committee report and open the floor for additional nominations. After the membership has had ample opportunity to make nominations, the Chairperson will accept a motion to close the nominations. The Board will elect officers from the candidates for both positions by majority vote during its June meeting. New officers will assume the responsibilities of their positions on July 1 and will serve through June of the next year. The term of office is one year for both positions, ~~and no one can serve in either position for more than two consecutive, one-year terms.~~ The Chairperson and Vice-Chairperson shall not be eligible to be re-elected to their respective positions and no person shall serve more than one year as Chairperson and one year as Vice-Chairperson during a four-year term. The Vice-Chairperson does not assume the Chairperson's position; however, the Vice-Chairperson can be nominated for and elected to become the Chairperson.

Approved by the Education, Planning and Outreach Committee
Motion – Ms. Crumley
Second – Ms. Pollard
Date – May 22, 2008

First Presented to the Board
Motion – Mr. Railey
Second – Ms. Pollard
Date – June 3, 2008

Approved by the Board
Motion –
Second –
Date – July 15, 2008

The Chairman called for a motion to approve the Board Governance Manual Amendment. Mr. Montgomery made the motion for the Board to adopt the amendment as presented. Motion seconded by Ms. Pollard. Ayes: Pollard, Greer, Montgomery, Railey, Burton, Crumley, Hill, Kozuch, Yates, Stroup and Hazel.

Proposed Parasail Regulations: The Chairman called upon Mr. Charlie Sledd to present the staff's proposal-stage recommendations for boating safety regulations amendments regarding commercial parasail operations. If approved, the proposals will be published in the Virginia Register, newspapers statewide, and on the Department's web page. The Board will be requested to take final action on these regulation amendments at its meeting on October 23, 2008 and, if approved, the regulations would become effective on January 1, 2009. Mr. Sledd gave the following presentation:

CHAPTER 450
4 VAC 15-450-10 through 4 VAC 15-450-40

Summary

The proposal-stage recommendation is to add a new Chapter 450 in the boating regulations regarding commercial parasail operations pursuant to Chapter 625 Virginia Acts of Assembly – 2007 Session.

Recommended regulation language:

CHAPTER 450

WATERCRAFT: COMMERCIAL PARASAIL OPERATIONS

- 4 VAC 15-450-10. Application
- 4 VAC 15-450-20. Definitions
- 4 VAC 15-450-30. Commercial Parasailing Activities
- 4 VAC 15-450-40. Penalties

4 VAC 15-450-10. Application.

This chapter applies to all commercial parasail operations on waters of the Commonwealth.

4 VAC 15-450-20. Definitions.

As used in this chapter, unless the context clearly requires a different meaning, the following words and terms shall have the following meanings:

“Commercial parasail operation” means all parasail activities engaged in or caused to be engaged in by any person or legal entity with the object of making a profit or obtaining an economic benefit either directly or indirectly.

“Operate” means to navigate or otherwise control the movement of a vessel.

“Parasailing” means the activity in which an individual is transported or carried aloft by a parachute, sail, or other material attached to a towline which is towed by a vessel where the rider ascends into the air by the towline being extended from the vessel and remains suspended in the air as the vessel runs its course.

“Vessel” means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

“Waters of the Commonwealth” means any public waters within the territorial limits of the Commonwealth, the adjacent marginal sea and the high seas when navigated as a part of a journey or ride to or from the Virginia shore.

4 VAC 15-450-30. Commercial Parasailing Activities.

A. Commercial parasailing operators shall comply with the following provisions:

1. All commercial parasail operators shall have a valid Coast Guard License for carrying passengers for hire.
2. Vessels engaged in parasailing operations must be equipped with a rear launch platform and direct launch and recovery hydraulic winch system used to pay out and reel in the towline.
3. Prior to leaving the dock, all passengers and parasail participants shall be required to view a parasail safety briefing video and/or be given a written parasail safety briefing handout. Briefing materials shall be consistent with information approved or provided by the Professional Association of Parasail Operators (PAPO).
4. Parasailing shall only be conducted from one-half hour before sunrise to one-half hour after sunset.

5. All parasail riders, when attached to the harness of a parasail canopy, shall wear a United States Coast Guard approved Type I, II, or III inherently buoyant non-inflatable personal flotation device that is in serviceable condition and of the proper size. The rider must be secured in a seat harness attached to an ascending type of parachute which is connected to the towline.
6. All parasailing operations shall include, in addition to the operator of the vessel, an observer 18 years or older at all times to monitor the progress of an airborne parasail rider and parachute.
7. All parasailing towing vessels, when operating more than 1,000 feet from shore, shall be equipped with a VHF radio that is in working order and tuned to Channel 16.
8. Parasailing shall be prohibited when there are sustained winds in excess of 20 mph/17.5 knots and/or seas in excess of 6 feet in the area of operation.
9. Parasail operation towlines shall not exceed 1,200 feet in total length on the vessel's winch drum or exceed 1,000 feet of towline from boat to canopy yoke while conducting parasail flight operations. All commercial towlines must have a minimum diameter of 3/8 inches, be a maximum length of 1,200 feet, and have a minimum tensile strength of 4,800 lbs. An in-service date shall be logged whenever new line is installed.
10. Parasail operators shall inspect the towline in its entirety daily for damage and/or wear and, if necessary, shall immediately replace the line. A minimum of 2 feet shall be trimmed from the towline bitter end within a maximum period of 7 days or every 400 flights or as may become necessary. The towline shall be kept clean and well maintained in accordance with manufacturers' specifications, requirements, and/or recommendations. A written log of such inspections and maintenance shall be kept at all times.
11. Parasail vessel operators shall at all times maintain a safe parasail chute distance from any surf-zone, shoreline, or fixed object when engaged in actual parasail operations. This includes all of the following: (i) the canopy shall not be allowed to pass within three times the length of the towline from shore or any structure, (ii) when the wind has an onshore component, the canopy's minimum distance from shore is a function of wind speed as follows: either 1,000 feet or a sliding distance based on wind speed [0-5 mph – 600 feet, 6-10 mph – 1,000 feet, 11-15 mph – 1,800 feet, 16-20 mph – 2,400 feet].
12. Parasail operators shall only launch and land riders from the flight deck of the vessel. Spectators shall not be permitted on the launch/landing deck area while the vessel is engaged in actual parasail operations. At no time shall there be more than three passengers in any canopy. Multi-passenger

flights shall only be conducted after the vessel operator has made reasonable judgment regarding the flight safety prior to each flight and then only under the following conditions: (i) wind conditions must be adequate, stable and persistent, (ii) sea conditions must be conducive to such activities, (iii) commercial equipment specifically designed and professionally manufactured for multi-passenger flight operations must be utilized, (iv) all equipment manufacturers' specifications, requirements and/or recommendations must be adhered to, and (v) the vessel's winch system must be equipped with a functional level-winder during all multi-passenger flights.

13. A person may not operate or manipulate any vessel by which the direction or location of a parasail may be affected or controlled in such a way as to cause the parasail or any person thereon to collide or strike against or be likely to collide or strike against any vessel, bridge, wharf, pier, dock, buoy, platform, piling, channel marker, or other object.

14. The deliberate lowering of any person attached to the parasail to be in contact with the water's surface (toe dipping) shall only be conducted after the vessel operator has made reasonable judgment regarding the safety of the activity and his or her ability to control such an activity and then only under the following condition: (i) wind and sea conditions are conducive to such activity. Deliberate dipping above the ankles or allowing a participant to touch the water during his or her flight within 200 feet of another vessel or object or within 50 feet of the stern of the tow vessel is prohibited.

15. Commercial parasail operators shall notify the Department's Law Enforcement Division Dispatch Office at least 14 days in advance of the commencement of annual operations.

4 VAC 15-450-40. Penalties.

Except as otherwise provided by statute, any person who violates any provision of this chapter shall be guilty of a Class 4 misdemeanor for each such violation as provided by § 29.1-746 of the Code of Virginia.

Rationale:

The 2007 Session of the Virginia General Assembly passed House Bill 2031 (Chapter 625 Virginia Acts of Assembly – 2007 Session) that requires the Board of Game and Inland Fisheries to promulgate regulations applicable to the commercial operations of parasail operators on waters of the Commonwealth. These regulations shall take into consideration the operating standards and guidelines of the Professional Association of Parasail Operators.

After a brief discussion, the Chairman called for the motion to propose the amendments to the Boating regulations as recommended by staff. Dr. Greer made

the following motion: Mr. Chairman, I hereby move that the Board propose the amendments to the boating regulations as recommended by staff. Motion Seconded by Mr. Stroup. Ayes: Pollard, Greer, Montgomery, Railey, Burton, Crumley, Hill, Kozuch, Yates, Stroup and Hazel.

The Chairman thanked Mr. Sledd for his presentation.

Presentation of the Draft Quail Action Plan: The Chairman called upon Mr. Bob Ellis, Wildlife Division Director to present the Draft Quail Action Plan. This is an informational briefing for the Board and no action will be required.

Mr. Ellis gave the following presentation:

*The Quail Focus Group presented a resolution to the DGIF Board that the Department place the highest priority on the restoration of wild quail populations and promote the sport of bobwhite quail hunting both wild and preserve birds including the development of a **Bobwhite Quail Action Plan** encompassing management, research, education, outreach, coordination (utility and power company, DOF, timber, VDOT, etc) and specifically addressing environmental and other factors limiting quail numbers and establishing official habitats to demonstrate the effectiveness of habitat management.*

Trends in the Quail harvest and Hunters show that:

Quail harvest has declined from 1.5 million birds in 1970 to 68,647 in 2006.

Va. Quail hunter numbers declined from 143,000 in 1973 to 11,441 in 2006 about a 92% decline; and approximately 8% annual decline.

Only 5.2% of licensed hunters in 2006 hunted quail.

Nationally the number of small game hunters has decline 30% since 1996 to 2006.

In 1988, Virginia legislature recognized the plight of Virginia's quail and established a joint sub-committee to study the problem. The 1996 Quail Management Plan from this committee identified the important problems contributing to the decline. Two key factors limiting success of the plan was lack of funding and manpower. NBCI is the regional initiative to restore quail populations to the 1980 levels. Currently, a significant amount of technical assistance is being provided to landowners on habitat management for quail and other early succession species. Over \$1M in wildlife practices are included in the farm bill.

The challenges are to carry out the Agency Mission "To manage Virginia's wildlife and inland fish to maintain optimum populations of all species to sever the needs of the Commonwealth"; the Wild Quail and wild Quail hunting are in peril; and large -scale habitat restoration is needed. In order to meet these challenges, the following approach is being taken: the formation of the Quail focus group and developing successful programs on a limited geographic scale and working with the NBCI framework to restore Quail population levels and achieve these goals for Virginia: Covey Goal - 87,277 coveys; AG land -302, 884 acres; CRP Pines - 242,800 acres and Southern Pines - 1.9 million acres.

A five year action plan is being develop to accomplish goals, objectives and strategies with an evaluation process included. During the first five years of the plan work will be concentrated in six identified areas within the state. Realistically, it will take 10 years to achieve all of the NBCI goals in the 6 focus areas but funding is the key to the success of the plan.

The goals of the plan are:

Generate funding mechanisms to support quail restoration;

Educate the public on the status of quail and other early succession wildlife species;

Improve quail populations in their primary range in Virginia;

Establish quail and early succession wildlife focus area;

Increase statewide recreation related to quail;

Provide Quail Management Demonstration Areas.

The projected estimated annual budget for the plan is:

Year 2010 - \$1.5 million

Year 2011 - \$1.7 million

Year 2012 - \$1.7 million

Year 2013 - \$2.0 million

Year 2014 - \$2.0 million.

The plan recommends obtaining new development revenue sources such as developing a habitat stamp, endowment fund and/or WMA User fees.

Mr. Burton extended his sincere appreciation to Mr. Ellis and the staff for their work on the plan.

Mr. Yates echoed Mr. Burton's remarks and stated that the Quail Management Plan means absolutely nothing if it is not aggressively implemented and available funding. The shifting of resources and priorities to support the plan maybe acceptable but the need to find additional funding sources to implement the program is necessary in order for the plan to succeed. The previous plan was not a success due to the lack of funding and resources.

Ms. Crumley asked about the involvement of Quail Unlimited and Quail Forever. Mr. Ellis stated they are active members of the Quail Council.

Public Comments:

Mr. Lanny Woolfolk, who represents the Central Virginia Chapter of Quail Unlimited, spoke in favor of the Quail Action Plan. Mr. Woolfolk stated they are looking forward to continuing the working relationship with the Board. Mr. Woolfolk stated the Central Virginia Chapter of Quail Unlimited spoke in favor of the Quail stamp

as a funding source for the plan. Mr. Woolfolk stated he would present the plan during the National Conference.

Mr. Hazel encouraged Mr. Woolfolk to work with other Quail Unlimited Chapters to present a unified message that a need for additional funding for the plan during the National Convention.

Mr. Floyd F. Smith, Goochland, Virginia spoke on the preservation of Quail.

Mr. Hill encouraged Mr. Ellis to work with the Trappers Association on the plan.

At the conclusion of the presentation, a brief discussion was held and Mr. Ellis asked the Board to have all comments on the plan back to him or Mr. Duncan by September 12, 2008.

Mr. Hill thanked Mr. Ellis and staff for the presentation and work on the Quail Management Plan.

2008 -2009 Webless Migratory Game Bird Season and September Canada Goose and Teal Seasons Recommendations: The Chairman called upon Mr. Bob Ellis of the Wildlife Division to present the 2008-2009 Webless Migratory Game Bird Season and September Canada Goose and Teal Seasons Recommendations for adoption by the Board.

The U. S. Fish and Wildlife Service (USFWS) provides the framework for all migratory game bird seasons within which the Department selects certain season options. The Federal frameworks for webless migratory game bird seasons and the September goose and teal seasons were set at the Service Regulation Committee (SRC) meetings held on June 25 and 26. The season frameworks are similar to last year with the only exception being the mourning dove seasons and bag limit framework. This year the framework will be a 70 day season and 15 bird bag. In previous years, states have been offered two options (70day/12 bag or 60day/15 bag). Virginia normally took the 70/12 option so with the new framework we will be able to take an additional 3 birds in the bag per day.

The Wildlife Division staff held a public input meeting on June 23, 2008 to receive public comment on webless seasons and September goose and teal seasons. Twenty individuals from the public attended the meeting. Comments received are summarized in the report. In addition, comments were also received on the web and by mail and were included in your board package. Staff is recommending the adoption of the Webless Migratory Game Bird, September Canada Goose, September Teal and Falconry season as bag limits as presented.

Mr. Ellis presented the following recommendations:

Dove

Federal Framework:

Outside Dates: September 1, 2008-January 15, 2009
Hunting dates may run consecutively or be split into no more than three (3) segments.

Season Length: Not more than 70 days

Bag Limit: 15 daily and 30 in possession

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

Staff Recommendation:

Season Dates: September 1-September 27 (27 days)
October 4-October 31 (28 days)
December 27-January 10 (15 days)

Bag Limit: 15 daily and 30 in possession

Shooting Hours: Noon until sunset in first segment
½ hour before sunrise until sunset in last 2 segments.

Rails (Clapper, King, Sora and Virginia)

Federal Framework:

Outside Dates: September 1, 2008-January 31, 2009

Season Length: 70 days, straight or 2 segments

Bag Limit: Clapper/King – 15 daily, 30 in possession
Sora/Virginia 25 daily, 25 in possession

Staff Recommendation:

Season Dates: September 20-November 18 (70 days)

Bag Limit: Clapper/King – 15 counted together daily, 30 in possession
Sora/Virginia – 25 counted together daily, 25 in possession

Shooting Hours: ½ hour before sunrise until sunset

Note: This recommendation provides 29 days of 3-foot or greater lunar tides.
Change for 2008: Non –toxic shot is now required for Rail and Snipe hunting in Virginia.

Woodcock

Federal Framework:

Outside Dates: October 1, 2008-January 31, 2009
Season Length: 30 days, straight or 2 segments
Bag Limit: 3 daily, 6 in possession
Shooting Hours: ½ hour before sunrise until sunset

Staff Recommendation:

Season Dates: November 8-November 22 (15 days)
December 20-January 3 (15 days)
Bag Limit: 3 daily, 6 in possession
Shooting Hours: ½ hour before sunrise until sunset

Common Snipe

Federal Framework:

Outside Dates: September 1, 2008-January 31, 2009
Season Length: 107 days, straight or 2 segments
Bag Limit: 8 daily, 16 possession
Shooting Hours: ½ hour before sunrise until sunset

Staff Recommendation:

Season Dates: October 9-October 13 (5 days)
October 22-January 31 (102 days)
Bag Limit: 8 daily, 16 in possession
Shooting Hours: ½ hour before sunrise until sunset

Change for 2008: Non-toxic shot is now required for Rail and Snipe hunting in Virginia.

Canada Goose

Federal Framework

Outside Dates: September 1 – September 25, 2008
Bag Limit: 15 daily, 30 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 (½ hour after sunset) when no other waterfowl seasons are open.

Staff Recommendation

Season Dates: September 1-September 25 (22 days)
Bag Limit: 10 daily, 20 in possession
Hunt Area: Statewide

Shooting Areas: East of I-95
September 1-19: ½ hour before sunrise to ½ hour after sunset
September 20-25: ½ hour before sunrise to sunset.

West of I-95
September 1-25: ½ hour before sunrise to ½ hour after sunset.

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

September Teal Season

Federal Framework

Outside Dates: September 1-September 30, 2008
Season Length: Up to 9 days
Bag Limit: 4 daily, 8 in possession (Blue-winged and Green-Winged teal only)

Shooting Hours: ½ hour before sunrise to sunset

Staff Recommendation

Season Dates: September 20-September 30 (9 days)
Hunt Area East of I-95
Bag Limit: 4 daily, 8 in possession (any combination of Blue-winged and Green-winged teal)
Shooting Hours: ½ hour before sunrise to sunset

Falconry

Federal Framework

Outside Dates: September 1, 2008-March 10, 2009
Season Length: Not more than 107 days on any species
(Firearms and Falconry combined)
Bag Limit: 3 daily, 6 possession
Hawking Hours: ½ hour before sunrise until sunset

Staff Recommendation:

Note: Actual dates cannot be determined until firearm seasons for the species are set by the Board. No combination of falconry and firearms hunting can exceed 107 days for any species. Staff requests permission to calculate permissible dates for dove, rail, woodcock and snipe were not change significantly, the recommended falconry seasons would be:

Season Dates:

Dove	September 1-November 1	(62 days)
	December 1-January 10	(41 days)
Rail	September 10-December 25	(107 days)
Woodcock	October 20-February 3	(107 days)
Snipe	October 9-October 13	(5 days)
	October 22-January 31	(102 days)
Goose	September 1-September 25	(22 days)
Teal	September 20-September 30 (east of 95)	(9 days)

Note: In states where Sunday hunting is prohibited, Federal rule closes Sundays to all take of waterfowl, including by falconry.

Upon completion of the presentation, the Chairman called for questions or comments from the Board. Hearing none, the Chairman called upon Mr. Bobby Woolfolk for his public comments.

Public Comments: Mr. Bobby Woolfolk, Bumpass, Virginia, represented the Bumpass Duck Hunters Club, spoke regarding the early goose season. The DGIF staff recommendation was to increase the limit from 5 in the bag to 10 in the bag. Their concern is doubling the amount and they would like to see it increased to 6-8 in the bag. Mr. Woolfolk said he appreciated the opportunity to speak with the Board regarding this issue.

Mr. Montgomery said in reviewing the statistics that the amount of geese being killed has increased.

The Chairman called for any additional comments and noted the public comments have been received by the Board. Mr. Hill noted that there were four members of the public that supported the 10 bird limit and one, Mr. Woolfolk, that wanted five. The Chairman asked the staff for their comments and Mr. Ellis stated there was not a significant increase or significant impact with the regulation change.

The Chairman called for the motion. Mr. Montgomery made the following motion: Mr. Chairman, I hereby move that the Board adopt the Webless Migratory Gamebird, September Canada Goose, September Teal and Falconry seasons and bag limits as recommended by staff and to further authorize staff to modify seasons and bag limits, if necessary, to comply with the established Federal Frameworks. Motion seconded by: Mr. Yates. Ayes: Pollard, Greer, Montgomery, Railey, Burton, Crumley, Hill, Kozuch, Yates, Stroup and Hazel.

Committee Reports: The Chairman stated he was the Committee Chair for the Finance, Audit and Compliance Committee. The committee has not met since their June meeting. Mr. Ray Davis presented the financial report and presented the preliminary report for the close of the 2008 Fiscal Year. Mr. Davis also presented the financial report for the first quarter of the 2009 Fiscal Year. License sales are being monitored closely and the decrease in sales is due to the economy. The Chairman thanked Mr. Davis for his report.

Mr. John Moore provided the Board an update on the current APA Audit. The exit interview will take place in August.

Mr. John W. Montgomery, Jr., Chairman of the Wildlife and Boat Committee reported on the activities of the June 5, 2008 meeting. Staff presented updates on the White Nose Syndrome Disease in Bats and the Shooting Ranges on Wildlife Management Areas. Discussions were held on the Wildlife Management Areas and the Mallard Release Areas.

Mr. Bob Duncan introduced Mr. Steve Resser of the Fisheries Division to present an update on the Shenandoah Fish Kill. Mr. Steve Resser gave the following presentation:

Update on Shenandoah and James River Fish Kills-June 2008

The springtime fish kills that have impacted the North and South Forks of the Shenandoah River since 2004 and the Cowpasture and upper James River since 2007 have returned in the spring of 2008. These fish kills primarily affect adult smallmouth bass and sunfish, and have shown up in other species (suckers, fallfish) to a lesser degree. Many of the affected fish have developed skin lesions before succumbing to the kill. Only certain individuals within each species seem to be affected, while the remainder of the population appears healthy. In spite of the fish kills, reproduction has been excellent in recent years, and population numbers have not been severely reduced.

Fish kills have occurred later than usual this spring, possibly due to cooler springtime water temperatures. Although a few, isolated reports of dead and dying fish were received in April, during May the number of reports and numbers of dead fish have increased greatly. The 2008 fish kills appear to be most severe in the upper James River (upstream of Buchanan), with slight to moderate kills occurring in the Cowpasture and the North and South Forks of the Shenandoah. Fishing success remains fairly good in these rivers, even in the areas experiencing fish kills.

A troubling development is the recent occurrence of fish kills occurring on the lower Jackson River, new Low Moor. Follow-up sampling by DGIF on May 30th indicated that a substantial number of fish were suffering from skin lesions in this area. The apparent movement of these fish kills remains a puzzle to scientists. In addition to fish kills showing up in new areas, we have seen areas that were hit hard in past years, such as the lower North Fork Shenandoah, come up “clean” this spring.

Sampling by DEQ, DGIF and other researchers continues as outlined in the 2008 fish kill investigation plan to evaluate water, fish populations, and bacteria at both fish kill and non-fish kill sites. These samples have been taken over time to reflect conditions before, during, and after fish kill events. DEQ and DGIF investigators, along with a number of university and federal scientist, continue to communicate on a regular basis and focus their efforts on identifying causes of these events.

A discussion was held on a recent fish kill in Dr. Greer’s region.

Mr. Hill thanked Mr. Martel and Mr. Resser for their report.

Mr. Hill stated that the **Education, Planning and Outreach Committee** has not met since the June Board Meeting. Mr. Railey confirmed that was correct.

Directors Report: The Chairman called upon Mr. Duncan to present his report. Mr. Duncan thanked Vicki Krisnitski for a job well done this morning with the power point presentations.

Mr. Duncan provided the Board an update on the Coursey Springs Hatchery Renovations. The contractor began working on-site June 16th. Demolition of the old hatchery buildings has been completed. Fisheries staff worked with the contractor to find a cost savings of \$250,000 by substituting alternative building materials without comprising durability. Completion date is scheduled for December 2009.

Mr. Duncan provided the Board and update on the Laurel Bed Lake Dam Repairs. The Laurel Bed Dam repair project is currently under bid. Bids are due July 22, 2008 and will be opened July 23, 2008. The lake level had dropped to about 10 feet down, and water will continue to be released to add flow to the trout stream below during the summer.

Mr. Duncan announced Ms. Kristy Wharton will be the new budget analyst.

Mr. Duncan said included in the Board packages today is the flyer for the 25th Virginia Outdoor Sportsman Show. This event will be held at the Showplace, 3000 Mechanicsville Turnpike and the dates will be August 8-10, 2008. The agency will have exhibit booths and sell licenses during this event.

Dr. Greer encouraged staff to find ways to increase the license sales during this event.

Mr. Duncan called upon Mr. Rick Bush to provide the Board with an update on the Hunting with Hounds Study. Mr. Bush stated that since the June Board meeting, two citizens advisory committee meetings have been held and one more will be conducted on July 16, 2008. These meetings are to finish the draft recommendations and prepared for public meetings that will be held during August and September. Mr. Bush is selecting venues for the public meetings that will hold approximately 300+ people. The target date for the report is October. Dates for the public meetings will be sent to the Board members prior to August 1.

Mr. Montgomery wanted to know the level of staff support at the Outdoor Show to answer questions regarding this study. Mr. Busch said that a technical member would be present each day to answer questions and the meeting schedule will be available.

The Chairman recognized Mr. Floyd Smith, Goochland, Virginia. Mr. Smith spoke regarding the Hunting with Hound Study and the tradition of hunting with hounds.

Mr. Duncan thanked Mr. Busch for his work on the Hound Hunting Study. The members of the stakeholder advisory committee (representing the hunters, non-hound hunters, public and private landowners and law enforcement) all subscribe to the goal which is the continued preservation and continuation of diverse opportunities for Hound Hunting in Virginia when done in a fair and sportsman like manner and is also consistent with the rights of landowners and other citizens of the Commonwealth. Mr. Duncan stated that was the goal and has always been the goal of the Committee. Mr. Duncan said the final report would reflect this goal.

Mr. Duncan called upon Mr. Lee Walker to give an update on the Apprentice Hunter Program. A copy of the new Apprentice Hunter Program Brochure was presented to the Board and copies were made available to them for distribution. On October 4, 2008, staff will be attending the Virginia Tech football game to distribute this Brochure. They will also be distributed to all 500 licensing agents. Media events are being used to promote the license as well.

Mr. Duncan said the meeting dates have been set for the Wildlife Regulation Issues Meetings in September. The Wildlife Division will conduct 19 meetings and these will be separate from the Hound Hunting Study Meetings. Mr. Duncan distributed the schedule to the Board Members.

WILDLIFE REGULATORY ISSUE MEETINGS
6:00 p.m. – 9:00 p.m.

September 3, 2008

Region 3 – Cedar Bluff –
Southwest Virginia Community College,
King Community Center,
295 Community College Road

September 4, 2008

Region 3 – Wise –
University of Virginia’s College at Wise,
Alumni Association Building,
One College Avenue

September 8, 2008

Region 3 – Christiansburg –
Montgomery County Government Center,
755 Roanoke Street

September 9, 2009

Region 1 – Chesapeake –
Chesapeake Sheriff’s Office,
Chesapeake Correction Center,
401 Albemarle Drive

Region 4 – Lexington –
Rockbridge County High School,
143 Greenhouse Road

Region 5 – Centerville –
Arlington/Fairfax Chapter Izaak Walton League,
14708 Mount Olive Road

September 10, 2008

Region 1 – Wakefield –
Airfield 4-H Center,

15189 Airfield Road
Region 4 – Middletown –
Middletown Elementary School
190 Mustang Lane,

September 11, 2008

Region 1 – Gloucester Point –
VA Institute of Marine Science (VIMS),
Route 1208, Greate Road

Region 2 – Burkeville –
Burkeville Fire Department
503 Namozine Street

Region 5 – Madison –
War Memorial Building
4 Main Street

September 15, 2008

Region 4 – Covington -
Alleghany County Governmental Complex,
9212 Winterberry Avenue

September 16, 2008

Region 1 – Warsaw –
Rappahannock Community College
52 Campus Drive

Region 2 – Danville –
Danville Community College
Regional Center for Advanced Technology & Training
121 Slayton Avenue

Region 4 – Harrisonburg –
Rockingham County Fairgrounds
4808 South Valley Pike

Region 5 – Richmond –
VDGIF Board Meeting Room
Broad Street

September 17, 2008

Region 1 – Charles City –
DGIF Region I Office, Rice Center
3801 John Tyler Memorial Highway

September 18, 2008

Region 2 – Lynchburg –
Central Virginia Community College
Merritt Hall, Room 5122
3506 Wards Road

**Region 5 – Fredericksburg –
Gander Mountain Store Meeting Room,
3708 Plank Road**

These meetings are to allow public input for issues regarding wildlife regulations for next year.

Mr. Duncan called upon Mr. Gary Martel to discuss a trout stocking change. Beginning July 21, trout stocking at its daily trout Fishing Fee Areas at Crooked Creek in Carroll County and Big Tumbling on Clinch Mountain in Washington County will be reduced from six times per week to three. Prior to this change trout have been delivered and stocked daily, Monday to Saturday, at each of the streams. Trout will be stocked on Monday and Wednesday mornings, and either Friday evening or Saturday morning for the weekend visitors. This is a cost saving measure for the agency and does not require a regulation change. Mr. Martel extended his sincere appreciation to Mr. Ron Southwick in developing this change.

During the July 4th Holiday, Mr. Duncan participated in a media event held at Osborn Landing to promote safe boating. Staff gave interviews in other areas of the state as well.

The Chairman thanked Mr. Duncan for his remarks.

Chairman's Remarks: The Chairman announced the committee assignments for the 2008-2009 Year.

BOARD OF GAME AND INLAND FISHERIES

COMMITTEE ASSIGNMENTS

JULY 2008 – JUNE 2009

Finance, Audit and Compliance Committee

Mr. Tom Stroup, Chair
Mr. John Montgomery
Mr. Jimmy Hazel

Education, Planning, and Outreach Committee

Board Vice-Chair Dr. Billy Greer, Chair
Ms. Sherry Crumley
Ms. Mary Louisa Pollard
Mr. Randy Kozuch

Wildlife and Boat Committee

Mr. Richard Railey, Chair
Mr. Charles Yates
Mr. Ward Burton

Nominations Committee

Mr. Jimmy Hazel, Chair
Mr. John Montgomery
Ms. Sherry Crumley

The Chairman encouraged the new chairs to review the committee charters and meeting requirements. The Chairman thanked everyone for agreeing to serve on their respective committees.

Mr. Hazel stated as the Former Chair, he attended the recent Law Enforcement Academy Graduation. He encouraged all board members to attend in the future. Mr. Hazel presented the Board's Award to the best all around student.

The Chairman called for the closed session motion.

At 12:16 pm, Mr. Yates made the following motion:

Mr. Chairman, I hereby move that the Board convene a closed meeting as follows: 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 the performance of the Director. Motion seconded by Mr. Montgomery. Ayes: Pollard, Greer Montgomery, Railey, Burton, Crumley, Hill, Kozuch, Yates, Stroup and Hazel.

At 1:19 pm the Chairman called for the closed session certification. Mr. Yates made the following certification:

Mr. Chairman, I certify that whereas the board of Game and Inland Fisheries has convened 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 a meeting was conducted in conformity with Virginia law; now, therefore, be it resolved that the Board of Game and Inland Fisheries hereby certifies that: (1) to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by

Virginia law ere discussed in the closed meeting to which this certification resolution applies, and (2)only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the board. Motion Seconded by Mr. Stroup. Ayes: Pollard, Greer, Montgomery, Railey, Burton, Crumley, Hill, Kozuch, Yates, Stroup and Hazel.

Additional Business: The Chairman called for any additional business or comments from the Board. Hearing none, the Chairman called upon Mr. Duncan for any additional comments. **Mr. Duncan stated that earlier in the meeting today, a representative from the Marine Corps Base, Quantico and Ms. Kim Hosin of the Prince William County Conservation Alliance brought to the attention of the Board that a 10 acre parcel of land adjacent to the Merrimac Farms was available. Mr. Duncan asked for guidance from the Board in exploring the possible acquisition. Mr. Hazel said he was not aware of any appraisal that any action taken by the Board should include this appraisal. Mr. Hazel made the motion that the Board enable the staff to go forward with the discussion on the 10 acres in holding to Merrimac Farms. Motion Seconded by Pollard. Ayes: Pollard, Greer, Montgomery, Railey, Burton, Crumley, Hill, Kozuch, Yates, Stroup and Hazel.**

The Chairman announced the next meeting would be held on August 19, 2008 at 9:00am.

The Chairman called for a motion to adjourn. Mr. Montgomery made the motion to adjourn and motion seconded by Mr. Yates. Ayes: Pollard, Greer Montgomery, Railey, Burton, Crumley, Hill, Kozuch, Yates, Stroup and Hazel.

The meeting was adjourned at 1:22pm.

Respectfully submitted,

Beth B. Drewery
Board Secretary

