



COMMONWEALTH of VIRGINIA


Department of Wildlife Resources

Travis Voyles
Secretary of Natural
and Historic Resources

Ryan J. Brown
Executive Director

MEMORANDUM

TO: Ryan J. Brown
Executive Director
Department of Wildlife Resources

FROM: Kelci A. Block
Assistant Attorney General 

DATE: June 6, 2024

RE: Proposed Regulation Amendments – May 2024

At its May 23, 2024 meeting, the Board of Wildlife Resources proposed the following regulation sections:

- 4VAC15-20-50. Definitions; "wild animal," "native animal," "naturalized animal," "nonnative (exotic) animal," and "domestic animal".**
- 4VAC15-20-130. Endangered and threatened species; adoption of federal list; additional species enumerated.**
- 4VAC15-320-25. Creel and length limits.**
- 4VAC15-330-150. Special provision applicable to trout fishing using artificial lures with single hook.**
- 4VAC15-330-160. Special provisions applicable to certain portions of Accotink Creek, Back Creek, Big Moccasin Creek, Chestnut Creek, Hardy Creek, Holliday Creek, Holmes Run, Indian Creek, North River, Passage Creek, Pedlar River, Piney River, North Fork of Pound and Pound rivers, Middle Fork of Powell River, and Roanoke River.**
- 4VAC15-360-10. Taking aquatic invertebrates, amphibians, reptiles, and nongame fish for private use.**
- 4VAC15-380-30. Numbering pattern.**
- 4VAC15-380-40. Display of numbers.**
- 4VAC15-390-10. Applicability.**
- 4VAC15-390-85. Operators to give right-of-way and reduce speed.**
- 4VAC15-390-140. Riding on decks and gunwales.**
- 4VAC15-420-10. Application.**

I have reviewed the text of these proposed regulatory actions, and it is my opinion that the Board of Wildlife Resources has authority to promulgate these proposed regulations under §§29.1-103, 29.1-501, 29.1-502, and 29.1-735. It is further my opinion that the regulations are exempt from the provisions of the Virginia Administrative Process Act pursuant to §2.2-4002(A)(3) of the Code of Virginia.

The foregoing conclusion is my own. It does not constitute an opinion, formal or informal, of the Attorney General. If I may be of further assistance, please do not hesitate to contact me.

Cc: Aaron Proctor, DWR Policy Manager