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## Exempt Action: Proposed Regulation Agency Background Document

Agency name	DWR
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC15-50
VAC Chapter title(s)	Game: Bear
Action title	2025 Amendments to Wildlife Regulations
Date this document prepared	3/26/2025

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.*

#### Section 11:

Amends bear general firearm seasons in various management units to accomplish bear population goals according to Department's Black Bear Management Plan. Bear populations are highly correlated and managed by harvest of bears by hunting.

#### Section 70:

Amends bear archery seasons in various management units to accomplish bear population goals according to Department's Black Bear Management Plan. Bear populations are highly correlated and managed by harvest of bears by hunting. Clarifies firearm possession and use terms in accordance with 2nd amendment provisions as part of the Department's effort to address this issue.

#### Section 71:

Amends bear hunting muzzleloader seasons by management unit across the Commonwealth to assist the Department in maintaining our bear population objectives as well as maximize hunter opportunity. Clarifies firearm possession and use terms in accordance with 2<sup>nd</sup> amendment provisions as part of the

Department's effort to address this issue.

Section 120:

Amendment proposals to section 11 resulted in the removal of 25 bear firearms hunting days in certain areas. On 18 of those days removed, hounds could be used to hunt bear in 23 counties. To continue providing as much recreational opportunity as possible during the reduced firearms season without impacting bear populations, this proposal will enable hunters to chase bears with hounds, without harvesting them, in these counties, concurrent with the regular open season dates that have allowed the use of hounds. These proposals will also help alleviate shifts in hunting pressure to adjoining counties where bear seasons are not being reduced while also limiting potential user conflicts of users in new areas, particularly those with limited public land access. The ability for hunters to continue chasing bears during this time may also assist the Department in monitoring incidents of sarcoptic mange and bear status in these reduced harvest zones. Language changes also addresses firearm possession and use terms in accordance with 2<sup>nd</sup> amendment provisions as part of the Department's effort to address this issue.

### 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."*

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Adjustments to bear seasons are addressed biennially as part of our bear management population plan, which is largely carried out by controlling the harvest strategies within management units, which typically are at the county level. These are considered non-mandates as they are related to seasons/harvests/bag limits. Season changes are also necessary and responsive to the uptick of mange in bears, specifically in the northern and northwestern portions of the state where mortality from the disease remains high.

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