



COMMONWEALTH of VIRGINIA


Department of Wildlife Resources

Stefanie K. Taillon
Acting 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: March 28, 2025

RE: Proposed Regulation Amendments – March 2025

At its March 20, 2025 meeting, the Board of Wildlife Resources proposed the following regulation sections for repeal or amendment:

- 4VAC15-90-10. Open season; generally.
- 4VAC15-90-70. Archery hunting.
- 4VAC15-90-80. Muzzleloading gun hunting.
- 4VAC15-90-89. Earn a buck.
- 4VAC15-90-91. General firearms season either-sex deer hunting days.
- 4VAC15 90-530. Special elk hunting license, random drawing license program.
- 4VAC15 90-540. Special elk hunting license, Landowner License Program.
- 4VAC15 90-550. Special elk hunting license, Conservation License Program.
- 4VAC 15-50-11. Open season; generally.
- 4VAC15-50-70. Archery hunting.
- 4VAC15-50-71. Muzzleloading gun hunting.
- 4 VAC 15-50-120. Bear hound training season.
- 4VAC15-20-50. Definitions; "wild animal," "native animal," "naturalized animal," "nonnative (exotic) animal," and "domestic animal".
- 4VAC15-20-65. Hunting, trapping, and fishing license and permit fees.
- 4VAC15-20-120. Appointment of new consignment agents for sale of hunting and fishing licenses.
- 4VAC15-20-130. Endangered and threatened species; adoption of federal list; additional species enumerated
- 4VAC15-20-155. Camping on Wildlife Management Areas and other department-owned or department-managed lands.
- 4VAC15-30-40. Importation requirements, possession, and sale of nonnative (exotic) animals.
- 4VAC15-40-282. Unauthorized feeding of bear.

4VAC15-40-310 (NEW). Dispatch of game or furbearers.
4VAC15-320-25. Creel and length limits.
4VAC15-160-31. Open season for trapping.
4VAC15-210-51. Open season for trapping.
4VAC15-170-30. Pelts to be sealed before sale, etc.
4VAC15-260-50. Blinds in the City of Virginia Beach.
4VAC15-40-60. Hunting with dogs or possession of weapons in certain locations during closed season.
4VAC15-40-61 (NEW). Hunting and trapping on National Forest, state forest, and department-owned or managed lands.
4VAC15-40-62 (NEW). Shooting ranges on department-owned and managed lands.
4VAC15-40-70. Open dog training season.
4VAC15-210-10. Open season; raccoon chase on areas open to bear hound training; possession of certain devices unlawful.
4VAC15-70-60. Archery hunting with bow and arrow, crossbow, or slingbow.
4VAC15-240-60. Archery hunting.
4VAC15-410-30. Compliance schedule and phase-in provisions.
4VAC15-410-40. Provisions for compliance and minimum standards for boating safety education course competency.
4VAC15-410-50. Boating safety education course provider requirements.
4VAC15-410-70. Boating safety education course certificates.
4VAC15-410-80. Recordkeeping and student records.
4VAC15-410-90. Instructor certification.
4VAC15-410-100. Provisions for open-book tests for classroom courses.
4VAC15-410-110. Equivalency exam criteria.
4VAC15-410-130. Temporary operator's certificate.
4VAC15-410-140. Virginia Boater Education Course.
4VAC15-430-60. Personal floatation device condition; size and fit; approval marking.
4VAC15-430-150. Ventilation.
4VAC15-430-160. Fire extinguishing equipment application and general provisions.
4VAC15-430-170. Hand-portable fire extinguishers and semiportable fire extinguishing systems.
4VAC15-430-210. Backfire flame control.

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, 29.1-701, and 29.1-735. It is my opinion that your watercraft regulation proposals are authorized via 29.1-701(E) outside of the Administrative Process Act. It is further my opinion that all other proposals 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

7870 VILLA PARK DRIVE, SUITE 400, P.O. BOX 90778, HENRICO, VA 23228
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