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Exempt Action: Final Regulation Agency Background Document

Agency name	DWR
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC15-160
VAC Chapter title(s)	Game: Opossum
Action title	2025 Amendments to Wildlife Regulations
Final agency action date	5/22/2025
Date this document prepared	7/1/2025

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 31:

The amendment includes private lands where permission to trap has been granted by the landowner to the list of areas where there is a continuous open trapping season for this species.

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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Section 31:

The Code of Virginia (§29.1-517) enables a landowner to take furbearers during closed season under certain conditions. However, the Code section doesn't clearly extend this authority to the landowner's agent. Including the landowner and those to whom they grant permission to trap on their lands within the current continuous open season for trapping of opossums more clearly extends the landowner's authority within the Code to those whom permission has been granted to address specific issues involving opossums on their lands. This is an allowance.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has "adopted final amendments" to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, "On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)]."

On May 22, 2025, the Board of Wildlife Resources adopted final regulation amendments to Chapter 4VAC15-160, titled Game: Opossum.