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Exempt Action: Final Regulation Agency Background Document

Agency name	DWR
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC15-330
VAC Chapter title(s)	Fish: Trout Fishing
Action title	May 2026 – Ch. 330
Final agency action date	8/20/2026
Date this document prepared	8/26/2026

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.

Note: There were no changes in the language of the below section between proposed and final stage.

Section 150:

Final amendment is to remove Smith Creek in Alleghany County and add Grassy Creek and its tributaries within the boundaries of Breaks Interstate Park in relation to the required use of artificial lures with single hooks in trout waters.

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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”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 150:

The first amendment to this section reflects the discontinuation of stocking and the lack of the establishment of a fishery in Smith Creek – there is no longer a reason to require special regulations in this stretch of water.

The second amendment is to reflect an effort to develop a quality trout fishery in Breaks Interstate Park in conjunction with Kentucky Department of Fish and Wildlife and to simplify regulations for anglers between both Agencies.

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 August 20, 2026, the Board of Wildlife Resources adopted final amendments to Chapter 330.