



[townhall.virginia.gov](http://townhall.virginia.gov)

## Exempt Action: Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Board of Wildlife Resources
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	4 VAC 15-370
<b>VAC Chapter title(s)</b>	Watercraft: In General
<b>Action title</b>	Invasive species prevention
<b>Final agency action date</b>	August 18, 2022
<b>Date this document prepared</b>	October 11, 2022

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.*

This regulatory change requires that recreational boaters remove aquatic vegetation from their boats, trailers, and equipment upon removing the boat from the water. Boaters are also required to open drain plugs, and are to take reasonable measures to dry bilges, livewells, baitwells, and ballast tanks before their boats are used on other bodies of water.

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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”*

---

The impetus for these regulatory changes is the Board’s biennial periodic review of its Boating regulations. Internal staff review and consideration of subsequent public comment through the Board’s regulatory development process found this change advisable based on goals to prevent the spread of invasive species, many of which can be transported from one waterbody to another by traveling on boats used in various waterbodies. Other states/regions of states have either proposed or enacted very stringent requirements on boaters to prevent invasive species spread. In Virginia, the Department hopes that employment of some commonsense measures by the boating community can avoid the need for more aggressive actions and still allow the Commonwealth to prevent the spread of invasive species.

### **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) the name of the agency taking the action; and 3) the title of the regulation.*

---

The Board of Wildlife Resources adopted these final amendments to regulations found in 4VAC15-370 (Watercraft: In General) at its meeting held on August 18, 2022.