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Exempt Action: Proposed Regulation Agency Background Document

Agency name	DWR
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC15-30
VAC Chapter title(s)	Definitions and Miscellaneous: Importation, Possession, Sale, etc., of Animals
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 40:

The proposals are to remove requirements for reporting of harvested northern snakehead fish and authorizations for allowing the possession of prairie dogs in certain circumstances.

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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."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 40:

Remove reporting requirements associated with northern snakehead: At the time that this amendment was originally made to the regulation, the DWR was using reporting of northern snakeheads as a means of monitoring the potential spread of the species into other waterbodies in Virginia and possibly eradicating local new populations/animals. At present, the species is well established in many waters of the state and outreach campaigns have raised awareness about reporting northern snakehead where anglers may first encounter them. As such, the reporting requirement is no longer needed as a surveillance tool.

Removal of exception for prairie dogs: At the time that this amendment was made to the regulation, the DWR recognized that prairie dogs had been a species relatively common in the pet trade. As such, the agency accommodated the needs of individuals who owned those animals at the time of enactment to continue possessing those animals until those animals died. The average lifespan of a prairie dog in captivity is seven years. While the designation of prairie dogs as predatory and undesirable species remains, this current mandate was enacted 21 years ago and is no longer needed as the elapsed time greatly exceeds the lifespan of this species.

Both proposals were identified as part of our 2025 deregulation effort and generated a net reduction of two mandates.