

**Board of Game and Inland Fisheries  
Meeting Minutes  
4000 West Broad Street  
Richmond, Virginia 23230**

**June 2, 2009, 9:00am**

**Present:** C. T. Hill, Chairman, Dr. William T. Greer, Jr., Vice-Chairman, Mary Louisa Pollard, Richard E. Railey, Jr., Ward Burton, Sherry Crumley, John W. Montgomery, Jr., Charles Yates, Thomas Stroup; James W. Hazel; **Absent:** Randy Kozuch; **Director:** Robert “Bob” W. Duncan; **Senior Staff:** Charlie Sledd, Ray Davis, David Whitehurst, Lee Walker, Bob Ellis, Colonel Dee Watts, Gary Martel, Larry Hart; **Legal Counsel:** Roger Chaffe.

The Chairman welcomed everyone and called the meeting to order at 9:00am. The Mission Statement was read into the record by Mr. Hazel and the Pledge of Allegiance was led by Peer Group 6 of the Leadership Development Program. The Chairman noted for the record that a quorum was present for today’s meeting and a closed session will not be held during today’s meeting. Ms. Crumley stated she received an email from Mr. Kozuch stating that he would not be attending the meeting today due to scheduling conflicts.

**Public Comments – Non - agenda items:** The Chairman stated he had not received any requests from the Public to speak on non-agenda items.

**Recognition of Employees and Others:** Mr. Duncan stated in January 2009, the Department of Game and Inland Fisheries initiated its new Leadership Development Program, through which the agency is providing focused training to potential future leaders of the agency. Forty individuals from all program areas and around the state were selected to participate in the first class. The 40 Fellows were divided into eight Peer Groups, which will support their learning efforts and help establish relationships within the group. Mr. Duncan stated he was delighted to have Peer Group Six in attendance at today’s Board Meeting. Members of this group are: Bill Kittrell, Region III; Prashant Dixit, Headquarters; Rich Goszka, Region I; Nelson Lafon, Region IV and Jeff Trollinger, Headquarters.

**Approval of April 7, 2009 Meeting Minutes:** The Chairman stated the minutes of the meeting have been distributed for review and posted to the Web Site. He called for discussion and approval of the April 7, 2009 meeting minutes: **Mr. Railey made the following motion: Mr. Chairman, I move the minutes be approved as submitted. Motion seconded by Ms. Crumley. Ayes: Pollard, Greer, Montgomery, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

**Election of the 2009-2010 Officers for Board Chairman and Vice-Chairman.** The Chairman called upon Mr. Montgomery of the Nominations Committee to present the 2009-2010 Slate of Officers for Chairman and Vice-Chairman. **Mr. Montgomery made the following motion: Mr. Chairman, on behalf of the Nominating Committee, I hereby move that Mr. Charles Yates be elected as Chairman of the Board of Game and Inland Fisheries. Motion Seconded by Ms. Crumley. Ayes: Hill, Greer, Pollard, Railey, Burton, Crumley, Montgomery, Yates, Stroup and Hazel.** Mr. Hill congratulated Mr. Yates on becoming the new Chairman.

**Mr. Montgomery then made the following motion: Mr. Chairman, on behalf of the Nominating Committee, I hereby move the Mr. Jimmy Hazel be elected as Vice-Chairman of the Board of Game and Inland Fisheries. Motion Seconded by Ms. Crumley. Ayes: Hill, Greer, Pollard, Railey, Burton, Crumley, Montgomery, Yates, Stroup and Hazel.** Mr. Hill congratulated Mr. Hazel on becoming the new Vice-Chairman.

On behalf of the Board, Mr. Yates presented Mr. Hill the Chairman's Plaque and a Wildlife Print. Mr. Yates thanked Mr. Hill for his service and dedication to the Board.

**Presentation of Hunting and Trapping Regulation Amendments – Final Action:** The Chairman called upon Mr. Duncan to introduce the Wildlife Division staff to present the **Hunting and Trapping Regulation Proposals and final staff recommendations for the 2009 and 2010 seasons.** The Chairman noted that at the conclusion of the staff's presentation the Board will be given a chance to ask questions followed by public comment. The Board will then vote on each section of amendments.

*Mr. Bob Ellis gave the following presentation:*

The June 2<sup>nd</sup> meeting has been designated as the meeting for submission of final staff recommendations on proposals advertised for wildlife regulations covering the 2009 and 2010 hunting and trapping seasons. Wildlife Division staff reviewed the public comments received since the February Board meeting to consider any modifications to the proposals. The recommendations were reviewed by appropriate personnel within the Department, and reviewed by the Attorney General's Office. A summary sheet indicating the staff's final recommendation on each proposal is included in the Board Package mailed May 19, 2009.

Mr. Ellis gave a brief overview of the Regulation processed used:

- Issue Scoping Period – September – October, 2008
- Issue Public Discussion Period – Nov. 4, 2008-Jan.5, 2009
- Staff Recommendation Development – Jan. 6, 2009-Jan. 23, 2009
- Regulation Recommendation Board Mtg. – Feb. 27, 2009
- Regulation Proposal Public Comment Period – Mar. 11, 2009-May 11, 2009
- Regulation Proposal Final Action Board Mtg. – June 2, 2009

During the Public Comment Period there were ten public meetings held with a total attendance of 505 persons; 423 written comments received and 1,805 web comments received.

The Wildlife Division used the following Guiding Principles in developing these regulation amendment recommendations:

- Resource First
- Utilize best science in decision making
- Achieve population objectives
- Consider biological, sociological, economical, political and enforcement impacts
- Maximize hunting recreation
- Equitable distribution of recreation
- Simplify regulations

Mr. Ellis presented the following regulation amendments:

## **DEER**

### **4 VAC-15-90-23 Youth deer hunting day**

Establish a youth deer hunting day on the last Saturday in September, statewide, except in Fairfax, Loudoun and Prince William counties for youth deer hunters 15 years of age and younger

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## **DEER – FIREARMS**

**4 VAC 15-90-21** Four-week open season; certain cities, towns and counties or parts there of Remove Pittsylvania County west of the Norfolk Southern Railroad from the 4-week firearms deer season so that the county will have a uniform 7-week season

**Staff Final Recommendation:** Staff recommends the adoption of the amendments as final in the form they were proposed.

## **DEER – ARCHERY**

### **4 VAC 15-90-70 Bow and arrow hunting**

Remove Pittsylvania County west of the Norfolk Southern Railroad from the late archery season.

Allow for archery hunters with a muzzleloading license to possess a muzzleloading gun when and where the early special archery season overlaps the early special muzzleloading season

**Staff Final Recommendation:** Staff recommends the adoption of the amendments with the following modification: (1) Allow for deer hunters with a muzzleloading license to possess a muzzleloading gun when and where a special archery deer season overlaps a special muzzleloading deer season.

## **DEER – MUZZLELOADING**

### **4 VAC 15-90-80 Muzzleloading gun hunting**

Remove Pittsylvania County west of the Norfolk Southern Railroad from the late muzzleloading season

Change either-sex deer hunting day during the early muzzleloading season from the 2<sup>nd</sup> Monday to the 2<sup>nd</sup> Saturday – WBR

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## DEER - MUZZLELOADING

### 4 VAC 15-90-80 Muzzleloading gun hunting

Increase either-sex deer hunting days on private lands during the early muzzleloading season in Carroll, Grayson, Montgomery, Scott counties

Increase either-sex deer hunting days on private lands during the late muzzleloading season in Carroll, Grayson, and Montgomery counties

Increase either-sex deer hunting days on private and public lands during the late muzzleloading season in Dickenson (north of Route 83) and Wise counties

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

### 4 VAC 15-90-80 Muzzleloading gun hunting

Reduce either-sex deer hunting days on public lands during the early muzzleloading season from one either sex day to buck only and in the late muzzleloading season from the last 6 days to the last day only, in 14 counties WBR

Reduce either-sex hunting days on private lands during the early muzzleloading season from one either sex day to buck only and in the late muzzleloading season from the last 6 days to the last day only, in western Rockingham County

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## DEER – BAG LIMIT

### 4 VAC 15-90-90 Bag limit, bonus deer permits

Change the antlered buck bag limit from 1-2 during the early muzzleloading season west of the Blue Ridge Mountains and on national forest lands in Amherst, Bedford, and Nelson counties

Add a buck tag to the bonus permit for the counties of Greensville, Southampton, Surry, and Sussex which would change the seasonal antlered buck bag limit from 3 to 4 in these counties

**Staff Final Recommendation:** Staff recommends adoption of the amendments with the following modifications: **1) do not add a buck tag to the bonus deer permit and 2) do not change the season antlered buck bag limit from three to four.**

In addition to an apparent lack of public support, staff does not recommend increasing the buck bag limit in these four counties because it would be counter to (1) hunter demand to improve buck age structure (i.e, Quality Deer Management), (2) efforts to focus on adequate doe harvest, and (3) a desire for more uniform bag limits over larger areas for hunter convenience.

## DEER

### **Non – Regulatory Proposal: Bonus Deer Permit**

Increase the number of antlerless deer tags on the bonus permit from 2 tags to 6 tags

**Staff Final Recommendation:** Staff recommends this proposal.

## DEER - FIREARMS

### **4 VAC 15-90-91 General firearms season either-sex deer hunting days**

Proposed changes to either-sex deer hunting days:

Increase in 48 counties or cities

Increase on certain WMA's and state forests

Reduce on public lands in 19 counties WBR

Reduce on private lands in western Rockingham County

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## BEAR

### **4 VAC 15-40-22 Special license for hunting bear**

Establish a special license to hunt bear

### **4 VAC 15-20-65 Hunting License and Permit Fees**

Include resident and nonresident special bear license in list of hunting license and permit fees

### **4 VAC 15-50-81 Validating tags and checking bear**

The proposal is to remove references to deer and turkey in this regulation

### **4 VAC 15-90-231 Validating tags and checking deer**

The proposal is to remove references to bear in this regulation

**Staff Final Recommendation:** Staff does not recommend adopting the regulation proposals. The agency is currently considering various license fee structure formats as it develops options for the new revenue streams. The separation of the bear tag from the deer, bear, turkey license would be premature at this time as the department lacks the authority to alter the remaining deer and turkey tags or create other license options that could benefit other hunters.

## BEAR-ARCHERY

### **4 VAC 15-50-70 Bow and arrow hunting**

Add 2 weeks to the statewide archery bear season to simplify regulations by making the archery bear season concurrent with the archery deer season

Allow for archery hunters with a muzzleloading license to possess a muzzleloading gun when and where the early special archery season overlaps the early special muzzleloading season

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

### **BEAR-MUZZLELOADING**

**4 VAC 15-50-71 Muzzleloading gun hunting**

Add 17 counties to the muzzleloading season

Increase the muzzleloading season from 4 to 12 days in 37 counties and cities

Increase muzzleloading season from 4 days to 6 days in the remaining counties and cities with bear muzzleloader hunting

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

### **BEAR-FIREARMS**

**4 VAC 15-50-10 Open season; Six-week season**

Add 34 counties and localities to the 6-week general firearms season

**4 VAC 15-50-20 Open season; Two-week season**

Add certain public lands and portions of counties to the 6 week general firearms season

**4 VAC 15-50-21 (NEW) Open season; Six-day season**

Establish a 6-day firearms season in 20 Counties

**4 VAC 15-50-22 (NEW) Open Season; Six-week with Saturday opening day**

Shift opening day of 6-week season from Monday to preceding Saturday for 9 counties

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

### **BEAR**

**4 VAC 15-50-110 Use of dogs in hunting bear**

Align the localities that allow the use of dogs for hunting bear with those that allow the use of dogs for hunting deer

Clarify portion of Roanoke County (south of I-81) closed to hound hunting for bears

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## BEAR

### 4 VAC 15—50-120 Bear hound training season

Remove the final week of the December training season in 4 counties in Southside Virginia

Make weapons possession language consistent with other training season regulations

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## TURKEY

### 4 VAC 15-240-10 Open Season; Six-week season primarily WBR

### 4 VAC 15-240-11 Open Season; Six-week season primarily EBR

### 4 VAC 15-240-20 Open season; Two-week season

### 4 VAC 15-240-31 Open season; Four-week season

Add one day (Saturday) to the end of the early 2-week segment of the fall turkey season

**Staff Final Recommendation:** Staff **does not** recommend adopting this regulation proposal.

**Note:** Turkey populations are not uniform across the state. Turkey populations in 10 counties with low densities are declining at an annual rate exceeding 3%. An additional 21 counties with low densities are showing no population growth. The additional Saturday would likely add 10% to the fall harvest in these areas. This impact on fall harvest could be as great as 15-20% with the recommended changes to either-sex deer hunting days during the early muzzleloader season. The additional fall kill would likely reduce survival rates and thereby reduce population growth rates and densities further in the 31 counties we're concerned about.

Staff is interested in increasing interest in the sport of fall hunting where populations can support appropriate harvest levels. Adding another Saturday would increase the fall kill but would likely do little to increase interest in traditional sport of fall turkey hunting. Most (75%) of the turkeys killed on Saturdays were killed by deer hunters using muzzleloaders when the turkey season overlaps with the deer muzzleloader season.

### 4 VAC 15-240-81 Validating tags and checking turkey by licensee

Require spring gobbler hunters to check their harvest via the phone or online checking systems and remove reference to bear language.

**Staff Final Recommendation:** Staff recommends adoption of the amendments with the following modification: 1) do not remove references to bear in subsection A as staff does not recommend establishment of a special bear license

## TURKEY

**4 VAC 15-240-91** Checking turkey by persons exempt from license requirement or holding a license authorization number  
Require spring gobbler hunters to check their harvest via the phone or online checking systems

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## SMALL GAME

**4 VAC 15-230-21** **Spring season for gray and red squirrel on certain wildlife management areas**

**4 VAC 15-230-61** **Spring season for fox squirrel on certain wildlife management areas**  
Add private lands to the June squirrel season and open additional WMAs

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## FOX SQUIRREL

**4 VAC 15-230-60** **Open Season; first Saturday in September through January 31**

Open 6 additional counties to Fox squirrel hunting

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## FURBEARERS AND TRAPPING OTTER

**4 VAC 15-170-21** **Open season for trapping**

Establish uniform otter trapping season in all counties west of the Blue Ridge Mountains.

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## RACCOON

**4 VAC 15-210-20** **Chasing: Open season; counties west of Route 29**

Provide training season on National Forest lands in Southwest Virginia from the 2<sup>nd</sup> Saturday in August through the last Saturday in September

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## TRAPPING

### **4 VAC 15-40-210 Restricted use of certain steel foothold traps**

Clarify that foothold traps with teeth on the jaws and foothold traps with a jaw spread exceeding 6 ½ inches can not be set on land

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

### **4 VAC 15-40-170 Marking of traps by person setting**

Provide trappers with the option of using trap tags with a permanent ID number instead of name and address

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

### **4 VAC 15-40-195 (NEW) Visiting completely submerged, body-gripping traps**

Allow checking of completely submerged body-gripping traps once every 72 hours instead of the current daily requirement

**Final Recommendation:** Adopt as proposed as the amendment was developed by staff as a result of 2008 legislation (HB 115) and, as presented, is consistent with the intent of that legislation.

## SEALING PELTS

### **4 VAC 15-70-50 Bobcat Pelts to be sealed before sale, etc**

### **4 VAC 15-170-30 Otter Pelts to be sealed before sale, etc**

Eliminate requirement to seal pelts when they are shipped out-of-state to be tanned for personal use

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## GENERAL REGULATIONS

### **4 VAC 15-40-60 Possession of weapons in certain locations during closed season**

Include crossbow as a legal weapon and define a “loaded crossbow”

Update the definition of a “loaded” muzzleloader

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## GENERAL REGULATIONS

### **4 VAC 15-270-20 Rifles prohibited in hunting bear and deer in certain counties and cities**

Remove Suffolk from the list of localities where the use of rifles is prohibited for the hunting of bear and deer

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

## FIREARMS

### **4 VAC 15-270-80 Shotgun shell capacity for non-migratory game and migratory game birds**

Allow use of unplugged shotguns for crow hunting

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed.

The Chairman thanked Mr. Ellis and members of the Wildlife staff for their hard work and presentation.

The Chairman called for comments from the Board.

Mr. Yates had a question on the youth deer hunting days as proposed. The current proposal: Either sex deer may be taken except in Buchanan, Wise, and Dickenson counties where it is buck only. Unless there is some specific reason, Mr. Yates asked that Buchanan, Wise, and Dickenson be added to the recommendation. Mr. Ellis agreed with the recommendation to add Buchanan, Wise, and Dickenson as an amendment to **4VAC 15-90-23 Youth deer hunting day**.

A discussion was held between Mr. Railey and Mr. Ellis on using dogs during youth deer hunting day.

Mr. Railey thanked the staff for their hard work on the wildlife proposals as presented for final adoption today. As to the recommendation by staff to leave the 3 buck limit in place, he said the emphasis should be placed on killing does. Mr. Railey thanked the Board and staff for this recommendation.

Mr. Duncan stated he would be remiss if he did not acknowledge Pittsylvania County regarding 4VAC 15-90-21 Four-week open season; certain cities, towns, and counties or parts thereof. This was a legislative action and it removes Pittsylvania County west of the Norfolk Southern Railroad from the 4-week firearms deer season so that the county will have a uniform 7-week season.

Mr. Duncan also thanked Delegate Lee Ware for his assistance with the proposed trapping regulation: 4 VAC 15-40-170 Marking of traps by person. This provides trappers with the option of using trap tags with a permanent ID number instead of name and address.

**The Chairman called for Public Comments.** The Chairman stated those who had registered to speak on agenda items would be recognized during those portions of the meeting. The Chairman stated if you are representing a group or organization, you have 5 minutes and if you are speaking as an individual, you have 3 minutes.

***All persons requesting to make public comment on agenda items are requested to complete the Department of Game and Inland Fisheries Board Meeting Comment Form. This form requests the following information: Date; Topic of Discussion; Name and address; Telephone number; Whether or not you are representing a group and, if so, the name of the group represented; Are your comments for or against the proposals; other.***

Mr. Denny Quaiff, Chesterfield, Virginia, who represented the Virginia Deer Hunters Association, spoke for Youth Hunting.

Ms. Shelley Aley, Broadway, Virginia, spoke on the topic of falling deer numbers in Western Virginia on National Forest.

Mr. Doyle Ritchie, Fulks Run, Virginia, spoke on the topic of falling deer numbers in Western Virginia on National Forest.

Mr. Warren Radford, Radford, Virginia, spoke on the topic of bear regulations.

Mr. Steve T. Nicely, Clifton Forge, Virginia, spoke both for and against the bear proposals.

Mr. David Steger, Catawba, Virginia, who represented the Virginia Bear Hunters Association, spoke against the bear proposals extending bear seasons but was in favor of the separate bear license.

A discussion between the Chairman and Mr. Steger was held.

Mr. Charles I. Montgomery, Buchanan, Virginia, spoke regarding nuisance bear complaints and kill permits.

Ms. Carrie Crawford, New Castle, Virginia, spoke for the separate bear license and against the proposed bear regulations extending seasons.

Mr. Wayne Ball, Raven, Virginia, who represented the Virginia Bear Hunters Association, spoke for the bear regulation changes in southwest Virginia.

Mr. Hunter W. Thrasher, Buchanan, Virginia, who represented the Virginia Houndsmen and Sporting Dog Association, spoke regarding bear kill permits and Code §29.1-529.

Mr. Este Fisher, Mount Crawford, Virginia, who represented the Virginia Bear Hunters Association, spoke against the bear regulations.

Ms. Shelley Aley, Broadway, Virginia, spoke against the special bear license.

Mr. Doyle Ritchie, Fulks Run, Virginia, spoke against the special bear license.

Mr. Robin Clark, Charlottesville, Virginia, spoke against the turkey regulation proposals.

Mr. R. Marvin Barrell, Fredericksburg, Virginia, spoke against the turkey proposals.

The Chairman thanked everyone for their attendance and comments. The Chairman called for additional comments from the Board.

A discussion was held between Mr. Burton, the Board and Mr. Ellis regarding the Bear Management Plan and the proposed bear regulations. The Bear Management Plan is scheduled for revisions next year (2010). A stakeholder group will be formed to revise the plan and address issues such as nuisance bear, etc.

Ms. Crumley wanted to know how quickly the Agency could address the nuisance bear. Mr. Ellis referred to Mr. Duncan and Colonel Watts. The code was amended in 2008 to allow non-lethal control measures for nuisance bear control. Colonel Watts stated an Internal Policy could be drafted for Board action to address the nuisance bear issues. A code change may be required to address this issue. Mr. Hazel requested the policy be drafted and presented to the Board for review and approval.

Ms. Crumley encouraged everyone to work together to resolve hunting issues.

Mr. Stroup wanted to know about the bear stamp as a resource of revenue. Why would it be premature to offer this stamp especially when it was supported by the public. Mr. Ellis stated that the Agency is currently reviewing all licenses for increase and any combinations and the structure.

Dr. Greer stated that it was dangerous to make policy on the fly and encouraged the Board to delay action on the bear stamp license. Mr. Montgomery supported Dr. Greer's comments and supports not implementing the bear stamp license. They both support the staff's final recommendation regarding the bear stamp.

Additional discussion was held between Mr. Yates and Mr. Ellis on the bear management plan.

Mr. Duncan provided additional comment on the updates and review of licenses.

Mr. Ellis continued with his presentation of the motion and vote of the final adoption of the proposed regulation amendments as presented to the Board.

**Mr. Ellis presented the Wildlife Regulation Proposals Staff Final Recommendations for DEER:**

- 4VAC 15-90-23 Recommended as Proposed, as Modified by Mr. Yates**
- 4VAC 15-90-21 Recommended as Proposed**
- 4VAC 15-90-70 Recommended as Proposed, add Modifications**
- 4VAC 15-90-80 Recommended as Proposed**
- 4VAC 15-90-90 Recommended as Proposed, add Modifications**
- 4VAC 15-90-91 Recommended as Proposed**

**Mr. Montgomery made the following motion: Mr. Chairman, I move that the Board adopt the deer regulations with modifications as explained by Mr. Ellis. Motion seconded by Mr. Railey. Ayes: Hill, Greer, Pollard, Railey, Burton, Crumley, Montgomery, Yates, Stroup and Hazel.**

**Mr. Ellis presented the Wildlife Regulation Proposals Staff Final Recommendations for Bear:**

**4VAC 15-40-22 Not Recommended as Proposed**  
**4VAC 15-20-65 Not Recommended as Proposed**  
**4VAC 15-50-81 Not Recommended as Proposed**  
**4VAC 15-90-231 Not Recommended as Proposed**  
**4VAC 15-50-10 Recommended as Proposed**  
**4VAC 15-50-20 Recommended as Proposed**  
**4VAC 15-50-21 Recommended as Proposed**  
**4VAC 15-50-22 Recommended as Proposed**  
**4VAC 15-50-70 Recommended as Proposed**  
**4VAC 15-50-71 Recommended as Proposed**  
**4VAC 15-50-110 Recommended as Proposed**  
**4VAC 15-50-120 Recommended as Proposed**

**Dr. Greer made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendations on the regulation amendments for Bear. Ms. Crumley seconded the motion with an amendment to the motion that staff would report to the Board next year on the status of the bear population. Ayes: Hill, Greer, Pollard, Railey, Burton, Crumley, Montgomery, Yates, Stroup and Hazel.**

**Mr. Hazel requested that once the Director and staff draft the Internal Policy for nuisance bears, the staff bring that proposal back to the Board for review and approval**

**Mr. Ellis presented the Wildlife Regulation Proposals Staff Final Recommendations for Turkey:**

**4VAC 15-240-10 Not Recommended as Proposed**  
**4VAC 15-240-11 Not Recommended as Proposed**  
**4VAC 15-240-20 Not Recommended as Proposed**  
**4VAC 15-240-31 Not Recommended as Proposed**  
**4VAC 15-240-81 Recommended as Proposed, add modifications**  
**4VAC 15-240-91 Recommended as Proposed**

**Ms. Crumley made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendations for Turkey. Motion seconded by Mr. Railey. Ayes: Hill, Greer, Pollard, Burton, Crumley, Montgomery, Stroup, Railey, Yates and Hazel.**

**Mr. Ellis presented the Wildlife Regulation Proposals Staff Final Recommendations for Small Game:**

**4VAC 15-230-21 Recommended as Proposed**  
**4VAC 15-230-61 Recommended as Proposed**  
**4VAC 15-230-60 Recommended as Proposed**

**Mr. Hazel made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendations on the regulation amendments for Small Game. Motion seconded by Mr. Yates. Ayes: Hill, Greer, Pollard, Burton, Crumley, Montgomery, Stroup, Railey, Yates and Hazel.**

**Mr. Ellis presented the Wildlife Regulation Proposals Staff Final Recommendations for Furbearer and Trapping:**

**4VAC 15-170-21 Recommended as Proposed  
4VAC 15-210-20 Recommended as Proposed  
4VAC 15-40-210 Recommended as Proposed  
4VAC 15-40-170 Recommended as Proposed  
4VAC 15-40-195 Recommended as Proposed  
4VAC 15-70-50 Recommended as Proposed  
4VAC 15-170-30 Recommended as Proposed**

**Mr. Stroup made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendations for final adoption for Furbearer and Trapping. Motion seconded by Mr. Hazel. Ayes: Hill, Greer, Pollard, Burton, Crumley, Montgomery, Stroup, Railey, Yates and Hazel.**

**Mr. Ellis presented the Wildlife Regulation Proposal Staff Final Recommendations for General Regulations:**

**4VAC 15-40-60 Recommended as Proposed  
4VAC 15-270-20 Recommended as Proposed  
4VAC 15-270-80 Recommended as Proposed**

**Ms. Pollard made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendations on the regulation amendments for General Regulations. Motion seconded by Mr. Yates. Ayes: Hill, Greer, Pollard, Burton, Crumley, Montgomery, Stroup, Railey, Yates and Hazel.**

**Ms. Crumley encouraged everyone to report game violations.**

This concludes the presentation and the Chairman called for a 5 minute break. The Chairman called the meeting back to order and recognized Ms. Katharine Tucker former board member. Ms. Tucker took this time to make a few brief remarks.

**Committee Reports:** The Chairman called for the presentation of Committee Reports.

The Chairman called upon Mr. Tom Stroup, Chairman of the Finance, Audit and Compliance Committee to present the proposed DGIF FY2010 Budget. Mr. Stroup asked Mr. Duncan to present the proposed budget as approved in the Finance Committee Meeting on May 11, 2009. Mr. Duncan gave the following presentation and introduced the members of the DGIF FY10 Budget Development Team: Kristy Wharton, Rick Busch, Becky Gwynn, John Moore, Ron Southwick, Ed Steinkoenig, Mike Clark, Phil Lownes, Lee Walker, Cleva Pierce, Vicki Krisnitski, Nick Minneti and Dan West.

**Budget Overview:** Our operating appropriation, as set by the General Assembly, is \$52,173,376 and is unchanged from the current fiscal year. The estimated net income for this next year is \$50,025,00 which is \$5,437,216 (9.8%) lower than the estimate provided a year ago for the current fiscal year. Over 62% (\$3,382,526) of this reduction is due to a decrease in the amount of Watercraft Sales and Use Tax that is generated by the 2% tax on motorboat purchases.

The proposed operations budget for this next year is \$50,068,557 which is \$1,247,025 (about 2.5%) less than the FY 2009 operations budget presented a year ago.

Personnel services accounts for approximately 66% of the FY 2010 operations budget. The proposed budget funds 465 full-time salaried positions (including 182 sworn officers) and 72 wage employees. Non-personnel services accounts for 28% and equipment accounts for 6%.

Full funding for the first year of the Quail Action Plan (about \$1.5 million dollars) is in this budget and has been allocated through about \$.5 million dollars of additional funds to the Wildlife Division and the redirection of about \$1 million dollars within the Wildlife Division Budget.

The capital budget for FY2010 is proposed at \$11,500,000 a major part of which is the remaining funds for the Coursey Springs Hatchery Renovation Project. The capital budget is expected to use \$7,750,000 from the agency's cash balance with the remaining part coming from federal fund dollars.

**A discussion was held by the Director and Board on the presentation. At the conclusion of the discussion, Mr. Hill called for the motion. Mr. Stroup made the following motion: Mr. Chairman, I move that the Board adopt the FY10 operating and capital budget as proposed by staff and with any amendments as agreed to by the Board. Motion Seconded by Mr. Hazel. Ayes: Hill, Greer, Pollard, Railey, Burton, Crumley, Montgomery, Yates, Stroup and Hazel.**

**The Chairman thanked Mr. Duncan for his presentation.**

Mr. Stroup also reported the Agency is currently undergoing an Audit by the Auditor of Public Accounts. An update will be provided at the next meeting.

The Chairman thanked Mr. Stroup for his report.

The Chairman called upon Dr. Greer to report on the activities from the Education, Planning and Outreach Committee Meeting held on May 7, 2009. The Committee received the quarterly media services report and an update on the Management Study. The Committee also began discussion on possible Board Legislation Initiatives for the 2010 General Assembly Session. Dr. Greer thanked the Fellows in the Leadership Development Program for their participation in today's meeting.

Dr. Greer noted that Mr. Duncan has been selected as the Secretary/Treasurer for the Southeastern Association of Wildlife and Fisheries Agencies. Dr. Greer congratulated him on his nomination and selection.

The Chairman called upon Mr. Railey to report on the activities from the Wildlife and Boat Committee Meeting held on May 11, 2009. The Committee reviewed the regulations as presented today. The committee received an update on a landowner survey proposal regarding elk in SW Virginia. Mr. Ellis gave the following report: At the April Board meeting staff was directed by the Board to develop a process to look at whether the establishment of elk in SW Virginia was feasible or not. Staff decided the first step was to survey the landowners in certain counties of southwest Virginia and recommended clusters of counties be surveyed at a rate of 2000 landowners per cluster. There would be two clusters, one with the counties of Buchanan, Wise and Dickinson and the other cluster with the counties of Lee, Russell, Scott, Tazewell. The

landowners would be randomly selected off of the tax database from these counties. Mr. Ellis continued by stating that the survey would continue with the same survey questions to the National Forest, state parks and other public landowners. Staff will begin work on the survey questions in June with a completion date on the questions by July. The first mailing of the questionnaire will probably be mailed in August and the second in September. Results should be back in time for the October Board Meeting.

The committee also received an update on the White Nose Syndrome in bats and the Recycling of Monofilament Line Project.

The Chairman thanked Mr. Railey for his report.

**Director's Report:** The Chairman called upon Mr. Duncan for the Director's Report.

Mr. Duncan gave the following update on the Management Study; The Agency Management study began in November 2008 and concluded in March 2009. The study was conducted by the North Highland and Titan Groups. The focus of the study was to evaluate 3 areas: processes (how we do business); finances (revenue opportunities; capital needs); personnel (right people with the right skills; developing leaders for the future).

In planning for the future, the agency will need to focus on solidifying our financial condition, improving processes and operations to better serve ourselves and our customers, and get the right people in the right jobs with the right skills.

The fellows from Peer Group 6 from the Leadership Development Program are here today. This program was also a recommendation from the Management Study. Other Peer Groups will be in attendance at future Board Meetings.

Another recommendation from the Management Study was to combine Fisheries, Wildlife and Wildlife Diversity into a Wildlife Resources Bureau. This has been completed and the new Director of this Bureau is Mr. David Whitehurst.

Mr. Burton thanked Mr. Duncan for his leadership. Mr. Burton stated the retirement package for CPO's should be the same as the Virginia State Police Officers. Mr. Burton suggested the agency work with legislation on this issue. Mr. Duncan thanked Mr. Burton for his remarks.

Upon conclusion of Mr. Duncan's presentation, **Mr. Hazel made the following motion: Mr. Chairman, I hereby move that the Board endorse the findings of the Organizational Alignment Study in concept and direct the Executive Director to implement the recommendations in concert with the Board. Motion seconded by Mr. Montgomery. Ayes: Hill, Burton, Railey, Crumley, Pollard, Greer, Montgomery, Hazel, Stroup and Yates.**

The Director called upon Mr. Ron Southwick to provide the Board with a brief update on the Coursey Springs Hatchery Project. The project is on target and should be open for operations next spring. (Pictures used in this report can be found on the agency website)

The Director called upon Mr. Charlie Sledd to discuss Operation Dry Water. This is a nationwide effort being coordinated by the National Association of State Boating Law Administrators (NASBLA) aimed at reducing the number of alcohol-related recreational boating accidents and fatalities. With over 40 states participating, the national weekend of Boating Under the Influence (BUI) detection and deterrence will be held on June 26-28, 2009. The Agency has prepared a

proclamation that has been forwarded to the Governors' Office for signature. A follow-up report will be given at the July Board Meeting.

The Director called upon Mr. David Whitehurst for a briefing on the proposal to move the Boy Scout Jamboree to the Goshen Boy Scout Camp, which is adjacent to the Department's Goshen/Little North Mountain WMA. A brief discussion was held between Mr. Whitehurst and the Board.

Mr. Duncan thanked Mr. Hill for his service as Chairman and looks forward to working with the new incoming chairman, Mr. Yates.

The Chairman thanked Mr. Duncan for his report.

**Chairman's Remarks:** Mr. Hill stated that this concludes his term as Board Chairman and his term as a member of the Board. Mr. Hill met with the Governor and indicated he would not be seeking reappointment to the Board. He has enjoyed his term on the Board. It has also been a pleasure to work with the staff and to see all of the accomplishments of the Board and Agency. Mr. Hill noted the dedication of the Director and staff. Mr. Hill thanked Ms. Crumley for her comments to the Sportsman to continue to work together. **One of the things Mr. Hill wanted us all to remember was: "He ran a pretty tight meeting and efficient use of time without being in a hurry. With that, meeting adjourned!"**

The next meeting will be held on July 14, 2008 at 9:00am.

Respectfully submitted,

Beth B. Drewery  
Board Secretary