

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

Department of Commerce, Labor
and Environmental Resources,
AGENCY: Division of Natural Resources TITLE NUMBER: 47
CITE AUTHORITY: West Virginia Code §§20-1-7(30)
RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____
EXEMPT LEGISLATIVE RULE XX
CITE STATUTE(s) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES XX, NO _____

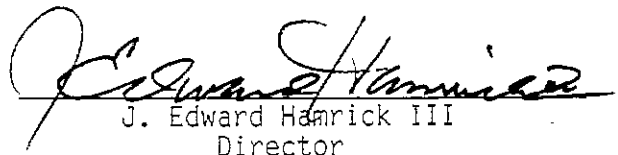
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 13

TITLE OF RULE BEING AMENDED: "Waterfowl Hunting Regulations"

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: _____

TITLE OF RULE BEING ADOPTED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS October 15, 1991


J. Edward Hamrick III
Director

TITLE 47
LEGISLATIVE RULES
DEPARTMENT OF COMMERCE, LABOR AND ENVIRONMENTAL RESOURCES
DIVISION OF NATURAL RESOURCES

SERIES 13
WATERFOWL HUNTING REGULATIONS

§47-13-1. General.

1.1. Scope and Purpose. -- These regulations establish the open seasons and the bag, size, age, weight, and sex limits with respect to the hunting of waterfowl in West Virginia.

1.2. Authority. -- West Virginia Code §§29A-1-3(c) and 20-1-17(7).

1.3. Filing Date. -- October 15, 1991

1.4. Effective Date. -- October 15, 1991

1.5. Seasons in General. -- All seasons are subject to change under the provisions of W. Va. Code §20-1-7(7). Opening and closing dates are inclusive and the time periods are prevailing time unless otherwise noted in these regulations. Sunday hunting is illegal.

§47-13-2. Definitions.

2.1. All terms shall have the meanings prescribed under Title 47, Series 13A "Special Waterfowl Hunting Regulations" (47 C.S.R. 13A).

§47-13-3. General Provisions.

3.1. Closed Season. No person may take waterfowl during the closed season.

3.2. Shooting or Hawking Hours. No person may take waterfowl except during the hours open to shooting or hawking as prescribed in these regulations.

3.3. Daily Bag Limit. No person may take more than the daily bag limit of any waterfowl.

3.4. Field Possession Limit. No person may possess more than the daily bag limit of any waterfowl while in the field or while returning from the field to one's car, hunting camp, home, or other place.

3.5. Wanton Waste. All waterfowl killed or crippled must be retrieved if possible and retained in the custody of the hunter in the field.

3.6. Custody of Birds of Another. No person may receive or have in his custody waterfowl belonging to another person unless such birds are properly tagged.

3.7. Possession of Live Birds. No person may at any time, or by any means, possess or transport live waterfowl taken under 50 C.F.R. Part 20 or under these regulations. Wounded birds reduced to possession must be immediately killed and included in the daily bag limit.

§47-13-4. Open Seasons.

4.1. Duck, Mergansers, Coots, and Gallinules Seasons.

4.1.1. Zone 1 Duck, Mergansers, Coots, and Gallinules Seasons.

4.1.1.a. The first segment of this season opens on October 5, 1991 and closes on October 12, 1991.

4.1.1.b. The second segment of this season opens on December 14, 1991 and closes on January 4, 1992.

4.1.2. Zone 2 Duck, Mergansers, Coots, and Gallinules Seasons.

4.1.2.a. The first segment of this season opens on October 5, 1991 and closes on October 12, 1991.

4.1.2.b. The second segment of this season opens on October 26, 1991 and closes on November 16, 1991.

4.1.3. There is no open season for either canvasbacks or harlequin ducks.

4.5. Canada Geese, Snow Geese, and Blue Geese Seasons.

4.5.1. Zone 1 Canada Goose Season.

4.5.1.a. The first segment of this season opens on October 1, 1991 and closes on October 12, 1991.

4.5.1.b. The second segment of this season opens on November 22, 1991 and closes on January 18, 1992.

4.5.2. Zone 2 Canada Goose Season.

4.5.2.a. The first segment of this season opens on October 1, 1991 and closes on November 16, 1991.

4.5.2.b. The second segment of this season opens on

December 27, 1991 and closes on January 18, 1992.

4.7. Brant Season.

4.7.1. This season opens on November 29, 1991 and closes on January 17, 1992 in both Zone 1 and Zone 2.

4.8. Swan Season.

4.8.1. There is no open season for swans.

\$47-13-5. Shooting Hours.

5.1. Ducks, Mergansers, Coots, Gallinules, Canada Geese, Snow Geese, Blue Geese, and Brant.

5.1.1. Shooting hours are from thirty (30) minutes before sunrise until sunset.

\$47-13-6. Bag and Possession Limits.

6.1. Ducks.

6.1.1. The bag limit is three (3) ducks in aggregate per day and may include:

6.1.1.a. Only one (1) black duck;

6.1.1.b. Only one (1) fulvous tree duck;

6.1.1.c. Only one (1) hen mallard;

6.1.1.d. Only one (1) mottled duck;

6.1.1.e. Only one (1) pintail;

6.1.1.f. No more than two (2) redheads; and

6.1.1.g. No more than two (2) wood ducks.

6.1.2. The possession limit is twice the daily bag limit for all species of waterfowl.

6.2. Mergansers.

6.2.1. The bag limit is five (5) mergansers in aggregate per day and may include only one (1) hooded merganser.

6.2.2. The possession limit is ten (10) mergansers in aggregate and may include no more than two (2) hooded mergansers.

6.3. Coots.

6.3.1. The bag limit is fifteen (15) coots per day.

6.3.2. The possession limit is thirty (30) coots.

6.4. Gallinules.

6.4.1. The bag limit is fifteen (15) gallinules per day.

6.4.2. The possession limit is thirty (30) gallinules.

6.5. Canada Goose.

6.5.1. The bag limit is three (3) Canada geese per day.

6.5.2. The possession limit is six (6) Canada geese.

6.6. Snow Geese and Blue Geese.

6.6.1. The bag limit is five (5) snow and blue geese in aggregate per day.

6.6.2. The possession limit is ten (10) snow and blue geese in aggregate.

6.7. Brant.

6.7.1. The bag limit is two (2) brant per day.

6.7.2. The possession limit is four (4) brant.