



**TITLE 58  
LEGISLATIVE RULE  
DIVISION OF NATURAL RESOURCES**

**SERIES 70  
PUBLIC USE OF CAMPGROUNDS AND RECREATION AREAS IN WEST  
VIRGINIA STATE WILDLIFE MANAGEMENT AREAS**

**SUMMARY**

Title 58, Series70, Public Use of Campgrounds and Recreation Areas in West Virginia State Wildlife Management Areas under the Division of Natural Resources establishes procedures to provide for public health, safety and welfare; to protect state property; and to assure state recreational area guests of a safe, beneficial and enjoyable experience.

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**CIRCUMSTANCES**

This rule is necessary to provide for public health, safety and welfare; to protect state property; and to assure state recreational area guests of a safe, beneficial and enjoyable experience.

## APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

Rule Title: PUBLIC USE OF CAMPGROUNDS AND RECREATION AREAS IN WEST VIRGINIA  
STATE WILDLIFE MANAGEMENT AREAS UNDER THE DIVISION OF NATURAL

Type of Rule: ☒ Legislative ☐ Interpretive ☐ Procedural

Agency: Bureau of Commerce, Division of Natural Resources

Address: Room 812, Building 3, Capitol Complex  
Charleston, West Virginia 25305

Phone Number: 304-558-2771 Email: curtistaylor@wvdnr.gov

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure  
will have on costs and revenues of state government.

No Costs to state government

**Fiscal Note Detail**

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of  
Breakdown by fiscal year, including long-range effect.

<b>FISCAL YEAR</b>			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title:

PUBLIC USE OF CAMPGROUNDS AND RECREATION AREAS IN WEST VIRGINIA  
STATE WILDLIFE MANAGEMENT AREAS UNDER THE DIVISION OF NATURAL

3. **Explanation of above estimates (including long-range effect):**  
Please include any increase or decrease in fees in your estimated total revenues.

None

### MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule would not have a fiscal impact, and/or any special issues not captured elsewhere on this form.

None

Date: 7/28/06

Signature of Agency Head or Authorized Representative

*William M. Goetz*

## QUESTIONNAIRE

*(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)*

DATE: July 28, 2006

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) BOC, DNR - Wildlife Resources Section  
1900 Kanawha Blvd., E.  
Capitol Complex, Bldg. 3, Room 812  
Charleston, WV 25305

LEGISLATIVE RULE TITLE: Public Use of Campgrounds and Recreation Areas in West  
Virginia State Wildlife Management Areas Under the Division of  
Natural Resources

1. Authorizing statute(s) citation 20-1-7

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

June 22, 2006

b. What other notice, including advertising, did you give of the hearing?

No public hearing was held. There was a 30 day comment period which was also advertised in  
a statewide News Release distributed June 30, 2006.

c. Date of Public Hearing(s) *or* Public Comment Period ended:

July 21, 2006

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_

No comments received X

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

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- f. Name, title, address and **phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Curtis L. Taylor, Chief

DNR Wildlife Resources Section

1900 Kanawha Blvd., E.

Capitol Complex, Bldg. 3, Room 812

Charleston, WV 25305

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- g. **IF DIFFERENT FROM ITEM 'f'**, please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

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3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

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b. Date of hearing or comment period:

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c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

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d. Attach findings and determinations and reasons:

Attached 

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TITLE 58  
LEGISLATIVE RULE  
DIVISION OF NATURAL RESOURCES

FILED

2006 JUL 28 P 4:30

SERIES 70  
**PUBLIC USE OF CAMPGROUNDS AND RECREATION AREAS IN WEST VIRGINIA  
WEST VIRGINIA STATE WILDLIFE MANAGEMENT AREAS  
UNDER THE DIVISION OF NATURAL RESOURCES**

**§58-70-1. General.**

1.1. Scope. -- This legislative rule governs the public use of campgrounds and recreation areas in West Virginia state wildlife management areas under the jurisdiction and management of the Division of Natural Resources. This rule is necessary to provide for public health, safety and welfare; to protect state property; and to assure state recreational area guests of a safe, beneficial and enjoyable experience.

1.2. Authority. -- W. Va. Code §20-1-7.

1.3. Filing Date. --

1.4. Effective Date. --

**§58-70-2. Rules Governing Public Use of Campgrounds and Recreation Areas in State Wildlife Management Areas under the Division of Natural Resources.**

2.1. No person may camp in any manner in state wildlife management areas, except at areas designated for camping. Campground facilities are provided for the exclusive use of registered campers.

2.1.1. Campsites which are not reserved shall be rented on a first come, first served basis. A campsite is occupied when there is a tent, camper or vehicle on the site and a valid camping permit displayed.

2.1.2. One responsible person who has passed his or her eighteenth (18th) birthday and who is answerable for the actions and safety of the campsite occupants and liable for any damages caused by them shall be at each rented campsite.

2.2. No person shall have in his or her possession beer, wine, liquor, or other alcoholic beverages within the boundaries of the following wildlife management area campgrounds and recreation areas or parts of wildlife management areas where prohibited by posted signs.

Berwind Lake Wildlife Management Area,  
Bluestone Lake Wildlife Management Area,  
Laurel Lake Wildlife Management Area,  
Plum Orchard Lake Wildlife Management Area,  
Teter Creek Lake Wildlife Management Area,

Big Ditch Wildlife Management Area,  
Pleasant Creek Wildlife Management Area,  
Lewis Wetzel Wildlife Management Area,  
Sleepy Creek Wildlife Management Area,  
Conway Run Lake Wildlife Management Area,  
McClintic Wildlife Management Area,  
Chief Cornstalk Wildlife Management Area,  
Lantz Wildlife Management Area,  
Upper Mud River Wildlife Management Area & Recreation Area;

2.3. The length of stay in any camping area shall not exceed fourteen (14) consecutive nights unless approved by the area wildlife manager. In no case may occupancy of a campsite be extended by the camper registering under a different name.

2.4. Not more than two (2) motor vehicles are permitted on a campsite at any time. A non-family camping group may have only one camping unit (tent, trailer, motor home, camper van, etc.) on its campsite. A family camping group, at the discretion of the area wildlife manager, may be permitted to have one (1) or two (2) small tents on its campsite in addition to the main camping unit, but in no case may the additional units be ecologically detrimental to the campsite. A family is defined as parents or guardians and their dependent children.

2.5. Campsites shall be vacated by 12:00 noon on the day the campsite rental permit expires, unless the area wildlife manager extends the time at the request of the camper. No extension may extend beyond 4:00 p.m.

2.6. The campsite rental fee does not include the use of any other facilities or services for which a fee or rental is charged.

2.7. No person may wash any equipment, paraphernalia, clothing, pet or human body at water fountains and water pumps, and in lakes, ponds, pools and streams. No person may wash cooking utensils, tableware, flatware or any other cooking or eating paraphernalia at water fountains and water pumps, and in comfort stations, bathhouses and washrooms.

2.8. No object may be driven into any tree, shrub, rock, sign, building or other object or structure in a state campground. Trenching or digging in a campsite is prohibited.

2.9. Quiet hours are in effect, and they shall be observed and enforced from 10:00 p.m. to 7:00 a.m. Generators shall not be operated during quiet hours. ATV and motorbike riding is prohibited in camping area.

2.10. No bicycle may be ridden in a campground after dark, unless it is equipped with lights on both its front and rear and the lights are turned on while it is being ridden.

2.11. Swimming is prohibited in state wildlife management areas, except in places designated for that purpose.

2.12. Only registered camping guests and licensed hunters and fishermen, while hunting or fishing, and persons who have authorized legitimate business in a state wildlife management area are permitted on the premises between the closing hour of 10:00 P.M.

and the opening of 6:00 A.M. during which hours the premises are closed to the general public.

2.13. Dogs and cats are the only pets permitted in state wildlife management area campgrounds and shall be restrained at all times on a sturdy leash not to exceed ten feet in length and their owner or master shall clean up the pet's excreta, keep it quiet and from disturbing other guests, and is responsible for all damages it causes.

2.14. Any person may be evicted from a state wildlife management area for any breach of this rule, or for the breach of any other rule which is in effect governing their use. All charges and fees are forfeited upon an eviction.

2.15. Hawking, peddling, soliciting, begging, advertising, or carrying on any business or commercial enterprise is prohibited in state wildlife management areas without written permission of the Director of the Division of Natural Resources.

2.16. Explosives, fireworks and other dangerous substances are prohibited in state wildlife management areas.

2.17. Garbage, waste, bottles, cans, paper, junk, or any other trash or refuse shall not be dumped, deposited or strewn within the boundary of any state wildlife management area.

2.18. No person shall attempt to feed or feed any wild animal in a campground.

**§58-70-3. Enforcement of Rules Governing Public Use of Campgrounds and Recreation areas in State Wildlife Management Areas under the Division of Natural Resources and Penalties.**

3.1. Responsibility for enforcing the rules.

It is the duty and responsibility of Conservation Officers, Special Conservation Officers, and wildlife managers on state wildlife management areas to enforce all of the provisions of this rule.

3.2. Violation of rules and penalties.

Any person violating any of the provisions of this rule is guilty of a misdemeanor, and, upon conviction thereof, shall be punished in accordance with W. Va. Code §20-7-9.