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OFFICE WEST VIRGINIA
SECRETARY OF STATE

Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Natural Resources
DOC - DNR - Wildlife Resources Section TITLE NUMBER: 58

AMENDMENT TO AN EXISTING RULE: YES ☐ NO ☒

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 70

TITLE OF RULE BEING PROPOSED: Public use of Campgrounds and Recreation areas in
West Virginia State Wildlife Management Areas Under
the Division of Natural Resources

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 2670

SECTION 64-10-4(e), PASSED ON March 10, 2007

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: April 9, 2007


Authorized Signature

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

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

Promulgation History

Filed June 22, 2006 – Form 2 Notice of a Comment Period on a Proposed Rule

Filed July 28, 2006 – Form 3 Notice of Agency Approval of a Proposed Rule and
Filing with the Legislative Rule-Making Committee

Filed November 2, 2006 - Form 4 Notice of Rule Modification of a Proposed Rule

FILED

TITLE 58
LEGISLATIVE RULE
DEPARTMENT OF COMMERCE 2007 APR -9 PM 3: 59
DIVISION OF NATURAL RESOURCES

OFFICE WEST VIRGINIA
SECRETARY OF STATE

SERIES 70
**PUBLIC USE OF CAMPGROUNDS AND RECREATION AREAS IN
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. -- April 9, 2007

1.4. Effective Date. -- April 9, 2007

§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. A person may not 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 is 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. A person may not 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,

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. A person may not stay in any camping area for more than 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. No more than two (2) motor vehicles may be 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. Campers shall vacate campsites 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. A person may not wash any equipment, paraphernalia, clothing, pet or human body at water fountains and water pumps, and in lakes, ponds, pools and streams. A person may not 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. A person may not drive objects 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. A person may not ride a bicycle 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, and keep it quiet and from disturbing other guests, and is responsible for all damages it causes.

2.14. A person may be evicted from a state wildlife management area by a Conservation Officer, Special Conservation Officer, Wildlife Manager or Superintendent for any breach of this rule, or for the breach of any other rule which is in effect governing its 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. A person may not dump, deposit or otherwise distribute garbage, waste, bottles, cans, paper, junk, or any other trash or refuse within the boundary of any state wildlife management area.

2.18. A person may not 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.

Responsibility for enforcing the rules.

Conservation Officers, Special Conservation Officers, Wildlife Managers and Superintendents on state wildlife management areas shall enforce all of the provisions of this rule.