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STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES

CHARLESTON 25305

November 24, 1970

IRA S. LATIMER, Jr.
Director

The Honorable John D. Rockefeller IV
Secretary of State
State of West Virginia
Capitol Building
Charleston, West Virginia 25305

Dear Mr. Rockefeller:

Enclosed are two copies of West Virginia Administrative Regulations covering the 1971 Fishing Regulations, designated Series III of Chapter 20-1.

I hereby certify that the attached regulations are true and accurate copies of official regulations adopted by the Department of Natural Resources.

Sincerely yours,

Ira S. Latimer, Jr.
Director

ISL/drg

Enclosures

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 12/3/70

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

DEC 3 9 00 AM '70

RECEIVED

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

Department of Natural Resources

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 12/3/70

Chapter 20-1
Series III

(1971)

SUBJECT: 1971 Fishing Regulations

Section 1. Opening and Closing Dates

1.01. Black Bass -- (Smallmouth, Largemouth, Spotted) -- Open year-round.

1.02. Trout -- (Rainbow, Brook, Brown and Golden Rainbow) -- Open year-round.

(a) Otter Creek -- Open for fly fishing only June 1 through September 12.

1.03. Muskellunge and Northern Pike -- Open year-round.

1.04. Channel Catfish -- Open year-round.

1.05. Other Species -- Open year-round.

1.06. Frogs -- (Bull Frog and Green Frog) -- Open 9:00 p.m. DST, June 12, 1971. Closes at midnight, July 31, 1971.

(a) Frog season will open from May 15 through October 31, on Big Sandy and Tug Fork Rivers bordering Kentucky.

Section 2. Daily Creel Limits and Possession Limits

2.01. Black Bass -- (Smallmouth, Largemouth and Spotted) -- Daily creel limit is 8. Possession limit is 16 bass in the aggregate.

2.02. Trout -- (Rainbow, Brook, Brown and Golden Rainbow) -- Daily creel limit is 6; only 4 of the 6 may be taken from impoundments, Edwards Run, Otter Creek and the following streams: Clear Fork, McDowell Co.; Spruce Laurel Fork, Boone Co.; Marsh Fork, Raleigh Co.; Big Sandy Creek, Preston Co.; Big Huff Creek, Wyoming & Logan Cos.; Buffalo Creek, Logan Co.; Paint Creek, Fayette Co.; Paw-Paw Creek, Marion Co.; Cross Creek, Brooke Co.; Kings Creek, Hancock Co.; Tomlinson Run, Hancock Co.; Wayne Dam, Wayne Co.; West Fork Twelvepole Creek, Wayne Co.; Wheeling Creek, Marshall & Ohio Cos.; Wickwire Run, Taylor Co.; North Fork Dam, South Fork Fishing Creek, Wetzel Co. Possession limit is 12.

(a) Otter Creek -- Daily creel and possession limit is 4.

(b) Only one line per angler will be permitted while fishing for trout in State small impoundments. Does not apply to U. S. Corps of Engineers lakes.

2.03. Muskellunge and Northern Pike -- No possession limit.

2.04. Channel Catfish -- Daily creel limit (applies to State Public Fishing Impoundments only) is 4; possession limit is 16.

2.05. Other Species -- No limit.

2.06. Frogs -- (Bull Frog and Green Frog) -- Nightly limit (Noon to Noon DST) is 10. Possession limit is 20 frogs.

Section 3. Size Limits

3.01. Black Bass -- (Smallmouth, Largemouth and Spotted) -- No size limit.

(a) Special Regulation -- An experimental 12-inch limit shall be in effect on Wheeling Creek in Marshall and Ohio Counties.

3.02 Trout -- (Rainbow, Brook, Brown, and Golden Rainbow) --
No size limit.

3.03. Muskellunge and Northern Pike -- Minimum size limit is 26 inches total length.

3.04. Channel Catfish -- No size limit.

3.05. Other Species -- No size limit.

Section 4. Lake Closures

4.01. Buffalo Fork Lake closed. Opening to be announced by U.S. Forest Service.

Section 5. Catch and Release Trout Fishing Areas

5.01. Back Fork of Elk River -- A section in Webster County, beginning two miles upstream from Webster Springs, extending upstream four miles. This section can be reached from secondary routes 29 and 24/3.

5.02. Shavers Fork -- A $5\frac{1}{2}$ mile section in the Monongahela National Forest, Randolph County, north of U.S. Rt. 250, extending from the mouth of Whitemeadow Run downstream to the mouth of McGee Run. This section can be reached from National Forest Route 92, which intersects U.S. Rt. 250 four miles west of Cheat Bridge.

* Regulations for Catch and Release Trout Fishing Areas, "fish for fun" are as follows:

- 1) Fishing permitted during daylight hours only.
- 2) Artificial flies and lures made of metal, wood, feathers, hair, or synthetic material, equipped with barbless hooks permitted.
- 3) Deeply hooked or gill-hooked fish should be released by cutting the leader.
- 4) An angler may keep one trophy fish 18-inches or over in length but must immediately cease fishing in the "catch and release" area for that day.
- 5) All except a trophy fish must be returned to the water at once.

Section 6. Game Fish Defined

6.01. Game Fish are as follows: brook trout, brown trout, rainbow trout, golden rainbow trout, largemouth bass, smallmouth bass, spotted bass, striped bass, pickerel, muskellunge, northern pike, walleye, white bass, rock bass, crappie, bluegill, other sunfish, channel catfish and flathead catfish.

Section 7. Other Methods of Fishing

7.01. Dipping -- Dipping for nongame fish only shall be lawful in open waters during the period from February 1, 1971 to midnight April 30, 1971. A dip net so used shall not exceed thirty-six square feet in overall area, and its mesh shall not be smaller than one-quarter inch.

7.02. Bow Fishing -- Year-round open season for carp; other non-game species may be taken by long bow during all months except May and June. It shall be unlawful to use an arrow having an explosive head or shaft. Residents must have legitimate fishing license to fish from any state waters by long bow. All other State fishing regulations apply.

7.03. Snaring and Gigging -- Non-game fish only may be taken by gigging or snaring from January 1 through May 15, and from July 15 through December 31.

(a) Special Regulation -- Anyone convicted of gigging game fish is subject to fishing license revocation.

7.04. Trotlines -- One end must be attached to the bank and shall bear a legible waterproof identification tag. They must be attended at least once every 24 hours. Wire or cable lines and hooks with more than one point are prohibited. It is unlawful to attach trotlines to public piers and docks, or within 50 feet of dam appurtenances. Their use is prohibited in State small impoundments.

7.05. Drop Lines -- Bank, pole, or tree drop lines must be attended and removed from water after use.

7.06. Underwater Spear Fishing and Diving

1. Season shall be July 1 to October 1.
2. All fish, except game fish and catfish, may be taken in open waters by underwater spear fishing during the hours of daylight only. Spear fishing is prohibited in the following waters:

- a) New River, from Bluestone Dam downstream to the lower bridge at Hinton.

b) Elk River, from Sutton Dam downstream to Route 19
bridge at Sutton.

3. Spear guns may be discharged only beneath the surface of
the water.

4. It shall be unlawful to use an explosive head or shaft.

5. Skin divers shall not fish or dive in such a manner as
to interfere with hook and line fishermen.

6. Skin divers shall not fish or dive in heavily traveled boat
lanes, marked swimming areas, or areas set aside for waterskiing.

7. "Diver down flag" shall be a red field of not less than
10 inches by 10 inches dimension with a white diagonal stripe not less
than $1\frac{1}{2}$ inches wide running upper left to lower right. A minimum of
two (2) flags per five (5) divers shall be displayed at all times.
These flags must be affixed to a floatation device, be within sight,
and not more than 300 feet apart. All power boats will remain a minimum
distance of fifty (50) feet away from the marker flags. The top of
the flag shall be at least three (3) feet above the surface of the
water.

8. No fish taken by spear fishing shall be returned to the
waters or left on the banks of any waters.