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WEST VIRGINIA ADMINISTRATIVE REGULATIONS
Department of Natural Resources

Chapter 20-1
Series IV
(1971)

Subject: 1971-72 Hunting and Trapping Regulations

Section 1. Definition of Terms Used

1.01. Possession limit--means game which is in any way under the control of the hunter. Example: the total of all game in a car, trunk, home freezer, commercial food locker, or any other storage method or place.

1.02. Aggregate--means the total bag or possession limit of any similar kind of game animals or birds. Example: the possession limit for squirrels is 12, after the first day. This could be four gray squirrels, four fox squirrels, and four black squirrels; or any combination of 12 squirrels, but not more than a total of six per day, nor more than a total of 12 in possession.

1.03. Resident--means any person who is a citizen of the United States and who has resided continuously in the State of West Virginia for a period of six months or more immediately prior to the date of his application for a license or permit: (Absentee ownership of land in West Virginia does not constitute legal residence.) Provided, that a member of the armed forces of the United States who is stationed beyond the territorial limits of this state, but who was a resident of this state at the time of his entry into such service, and any fulltime

student of any college or university of this state, even though he be paying a non-resident tuition, shall be considered a resident under the provisions of this chapter.

1.04. Non-resident--means any person, regardless of age or other status, who does not meet the requirements for a resident.

1.05. Concurrent hunting--hunting of other species during deer gun season.

Section 2. General Hunting Laws and Regulations

2.01. No hunting on State Parks.

2.02. No person may legally take under any conditions more than two deer per calendar year, one by gun and one by bow.

2.03. No person shall hunt deer with a shotgun using ammunition loaded with more than one solid ball, or with any rifle using rim-fire ammunition of less than 25 caliber. The use of muzzle-loading rifles is permitted for hunting deer.

2.04. No person shall hunt deer between sunset and sunrise, or kill or wound any deer while the deer is in any stream, lake or pond.

2.05. It shall be unlawful at any time for any person or persons to make use of, or take advantage of, any artificial light in hunting for, locating, taking, trapping, or killing any wild bird or wild animal, except lights ordinarily carried in the hand or on the person may be used for the taking of raccoon, skunk, and opossum.

2.06. Obtain written permission before hunting on private land.

2.07. It shall be unlawful at any time for any person to hunt for, take, kill, wound or shoot at wild animals or wild birds from an airplane, or other airborne conveyance, an automobile, or other land

conveyance, or from a motor-driven water conveyance.

2.08. It shall be illegal for any person to have in his possession a loaded firearm or a firearm from the magazine of which all shells and cartridges have not been removed, in or on any vehicle or conveyance, or its attachment, within the state, except as may otherwise be provided by law or regulation.

2.09. After a person has killed a legal deer by either bow or firearm, he may not participate further in a hunt with either a bow or firearm in his possession the remainder of the day. Such a person may, however, pursue his second legal deer any day following, provided it falls within the established season for the weapon in possession or use, and provided the first deer has been legally checked at an official checking station or by a conservation officer.

2.10. Each person killing a deer, bear, or wild turkey found in a wild state shall immediately after removing the entrails, but in any event, within one hour, and before transporting or removing the carcass in any manner from where it was killed, complete and attach a game tag supplied with hunting licenses. The carcass of such game bird or game animal shall be delivered by the person killing said animal to a conservation officer or an official checking station for checking and retagging before it is either skinned or transported beyond the boundaries of the county adjacent to that in which the kill was made. A deer killed during the firearms season must be delivered for retagging by the person making the kill within 24 hours after the close of said season.

2.11. No person under the age of fifteen years shall hunt or

chase any wild animals or wild birds upon lands of another unless accompanied by an adult possessing a valid hunting license.

2.12. No Sunday hunting, except that raccoon hunting may be continued until 5:00 a.m. on Sunday morning.

2.13. A \$1.00 National Forest Hunting License is required in addition to other licenses when hunting on the Monongahela, George Washington and Jefferson National Forests.

2.14. No warming or other fires permitted on lands belonging to others without written permission of owners.

2.15. It is illegal to smoke any wildlife from dens, trees, rocks, or other cover except that woodchucks or ground hogs may be controlled on private lands by the landowner, his children, or a bona fide resident tenant during the period April 1 through September 30.

2.16. It is illegal to carry an uncased gun or energized bow in a vehicle between 5:00 p.m. and 7:00 a.m. from September 30 to July 1. From July 2 to September 29 it is illegal between 8:30 p.m. and 5:00 a.m. prevailing time.

2.17. No person may legally take more than one bear (must be adult) per calendar year.

2.18. No dog training permitted on game birds and game animals from May 1 to August 15 except with written permission of landowner; provided organized groups may be permitted to hold field trials with a permit and under the supervision of a representative of the Department of Natural Resources.

2.19. It is illegal to have a bow and gun, or have a gun and any arrow or arrows, in the fields or woods at the same time.

Section 3. General Firearms Regulations

3.01. All seasons, unless otherwise stated, are statewide. The opening and closing dates shall be inclusive, except as noted under exceptions.

3.02. All hunting with firearms and bow shall be unlawful during the period October 9, 1971 through October 15, 1971 inclusive, except that it is legal to hunt squirrels during this period in the following counties: Boone, Fayette, Kanawha, Lincoln, Logan, Mingo, McDowell, Raleigh, Wayne and Wyoming.

3.03. All hunting, except for deer, shall be prohibited during the first three days of deer gun season in all territories having a firearms deer season. Only deer having one or both antlers three or more inches in length above the hair will be legal game during bucks only hunting season.

3.04. Concurrent Hunting During Deer Firearms Season:

- (a) No hunting of wild turkeys or bear during deer firearms season.
- (b) Small game hunting permitted beginning November 25.
- (c) Shot smaller than #4 and slugs may be carried with a shotgun prior to killing a deer during the concurrent hunting period.
- (d) A combination rifle-shotgun (over-under, etc.) is legal for deer hunting and during the concurrent small game period.
- (e) After killing a legal deer, a successful hunter shall not be afield with any type shotgun with solid ball ammunition or shot shells containing larger than #4 shot or, if using a combination rifle-shotgun, he shall not have rifle ammunition in his possession.

(f) No person shall hunt small game with rifles larger than .22 caliber or shotguns using solid ball ammunition in counties not open to firearm deer hunting during firearms deer season.

3.05. Spring Gobbler Season - Statewide

(a) Shooting hours will be 5:30 a.m. to 11:00 a.m.

(b) No hunters allowed in the woods after 12:00 noon.

(c) No electronic calling devices or dogs may be used.

3.06. Raccoon Hunting

(a) Legal only from 6:00 p.m. to 5:00 a.m. daily.

Section 4. Hunting Seasons:

4.01. Squirrels - Gray, Black, Albino and Fox - October 16, 1971 - January 8, 1972. September 11, 1971 - January 8, 1972 - Only in the following counties: Boone, Fayette, Kanawha, Lincoln, Logan, Mingo, McDowell, Raleigh, Wayne and Wyoming.

4.02. Ruffed Grouse (native pheasant) - October 16, 1971 - February 26, 1972.

4.03. Wild Turkey - October 16, 1971 - November 20, 1971 - Only in the following counties: Berkeley, Grant, Greenbrier, Hampshire, Hardy, Mineral, Monroe, Morgan, Nicholas (east of State Route #20), Pendleton, Pocahontas, Randolph, Tucker and Webster.

Wild Turkey - October 16, 1971 - October 30, 1971 - Only in Barbour, Braxton, Calhoun, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Nicholas (between U. S. Route #19 and State Route #20), Preston, Ritchie, Taylor, Tyler, Upshur, Wirt and Wetzel Counties.

Spring Gobbler Season - April 24, 1972 - May 13, 1972 - Statewide.

4.04. Bobwhite Quail - November 6, 1971 - February 26, 1972.

- 4.05. Ring-Necked Pheasant (either sex) - November 6, 1971 - January 1, 1972.
- 4.06. Cottontail Rabbit - November 6, 1971 - February 26, 1972.
- 4.07. Snowshoe or Varying Hare - November 6, 1971 - February 26, 1972.
- 4.08. Raccoon Hunting - Open 6:00 p.m. - October 16, 1971 - Closing January 23, 1972 at 5:00 a.m., prevailing time.
- 4.09. Black Bear (Adult Animals Only) - Firearms Season, November 1, 1971 - November 6, 1971. December 13, 1971 - December 25, 1971 - Only in the following counties: Grant, Greenbrier, Hampshire, Hardy, Monroe, Pendleton, Pocahontas, Randolph, Tucker and that part of Webster east of Route #20 from Webster Springs southwest to the Nicholas County line, and that section east and south of State Route #15 from Webster Springs to the Randolph County line. An exception to this is: the following area known as the "Back Country" and lying in Pocahontas, Greenbrier, and Webster Counties, is closed to all bear hunting.

The closed portion of these counties is an area bounded as follows: Starting at Dyer on Forest Service Route #86, the boundary proceeds along Forest Service Route #86 east to Forest Service Route #76 (the Black Mountain road); then the boundary follows Forest Service Route #76 (the Black Mountain road) south to the intersection with the Highland Scenic Highway (State Route #150); the line then follows State Route #150 to State Route #39. The southern boundary of the closed area follows State Route #39 to the Nicholas County line; then proceeds north following the Nicholas County line to Forest

Service Route #76; it then follows Forest Service Route #76 north to Forest Service Route #101. The boundary then follows Forest Service Route #101 north to Dyer.

4.10. Red Fox, Skunk, Opossum, Woodchuck or Groundhog - Continuous open season except for the period October 9, 1971 through October 15, 1971. Hunting with a gun or bow is limited to open fields during the closed season on game birds and game animals.

4.11. Elk, Otter, and Wild Boar - No open season.

4.12. Song and Insectivorous Birds - No open season. (English sparrow, European starling, crow and cowbird open year-round.) No open season on hawks and owls.

4.13. Gallinules, Sora, Virginia Rails, Mourning Doves, Woodcock, Snipe, Ducks and Geese - Federal Regulations will apply and be in effect as state regulations.

4.14. Deer - Gun - November 22, 1971 - December 4, 1971. (See map for various seasons.)

Section 5. Hunting Bag and Possession Limits:

5.01. Deer - One per day, two per season, one with gun and one with bow.

5.02. Squirrels - Gray, Black, Albino, and Fox - Six in aggregate of all species per day. Possession limit is 12 after first day.

5.03. Ruffed Grouse - native pheasant - Four per day. Possession limit is eight after first day.

5.04. Wild Turkey - Bag and possession limit: one turkey of either sex in fall season; one bearded turkey in spring season.

5.05. Bobwhite Quail - Seven per day, 14 in possession after first day.

5.06. Ring-necked Pheasant (either sex) - Two per day, two per season.

5.07. Cottontail Rabbit - Five per day, possession limit ten after first day.

5.08. Varying Hare - Two per day, possession limit four after first day.

5.09. Raccoon - Bag limit during any 11-hour period beginning at 6:00 p.m. and ending at 5:00 a.m. is two raccoons for one person or group of persons as a party and 20 per season.

5.10. Black Bear - One adult bear by means of gun or bow. Adults weigh 80 pounds or more.

5.11. Mourning Doves, Ducks, Geese, Woodcock, Snipe, Gallinules, Virginia and Sora Rails - Federal Regulations will apply and be in effect as state regulations.

Section 6. General Bow and Arrow Hunting Regulations:

6.01. A long bow may be substituted for a gun during any season for which firearms are lawful, except those having already killed a deer with a bow shall not substitute a bow for a gun during the firearms season for deer. It is unlawful to have both a gun and a bow in the field together; hunting with crossbow is illegal.

6.02. Arrows must have at least two sharp cutting edges measuring more than three-fourths of an inch in width, to hunt turkey, bear or deer.

6.03. Unlawful to use arrow with explosive head or shaft.

6.04. Unlawful to shoot across public highway, from aircraft, motor driven watercraft, motor vehicle or other land conveyance.

- 6.05. Unlawful to hunt on Sunday except for legal aquatic life.
- 6.06. Unlawful to kill more than one deer with bow.
- 6.07. Unlawful to have a strung or energized bow in your possession or control while in or on any vehicle, conveyance or their attachments within the state.
- 6.08. For bow and arrow fishing, a resident is required to have a fishing license; a nonresident is required to have a nonresident bow or gun hunting license or nonresident bow only hunting license.
- 6.09. Unlawful to have bow in woods, during closed season on game animals and game birds.

Section 7. Bow and Arrow Hunting Seasons:

7.01. Deer - Bow and arrow - October 16, 1971 - December 31, 1971 - Deer of either sex, except that only deer which can be hunted with a gun during the firearms season can be legally killed with a bow during the firearms deer season. Statewide, except that hunting is forbidden on (1) all state parks and game refuges; (2) Harpers Ferry National Monument; (3) all safety zones on state forests and public hunting areas and grounds. All refuges are appropriately marked with official Department signs.

7.02. Bear - Bow and Arrow - October 16, 1971 - December 31, 1971 - Adult bear only (80 pounds or more). The exception noted under 4.09 pertains to bow hunting of bear.

Section 8. General Trapping Regulations:

8.01. It shall be unlawful to set or maintain more than eight beaver traps or trap sets in counties with season bag limits.

8.02. It shall be unlawful to set or maintain traps, having a jaw spread of more than 4-3/4 inches when open, in or adjacent to any

stream inhabited by beavers except during the beaver trapping season. All traps set within an area three feet in diameter shall constitute one trap set. It shall be unlawful: (1) to trap, except on one's own lands, without first having obtained the written permission of the landowner as required by law; (2) to trap within 15 feet of the waterline of any beaver house; or (3) to destroy, disturb, or in any manner interfere with the beaver dam, house or burrow while trapping; (4) to have in possession an untagged beaver hide, or part thereof, between March 28, 1971, and November 4, 1972. All beaver must be tagged prior to selling the pelt. Tags may be obtained from District Conservation Offices and Game Checking Stations.

8.03. All traps used for taking game or fur-bearing animals shall be marked with a durable plate or tag, attached to the trap, chain or set, bearing the owner's name and address.

8.04. No nonresident may trap furbearers in West Virginia.

Section 9. Trapping Seasons

9.01. Raccoon Trapping - No traps shall be set before 8:00 a.m., November 6, 1971, or either set or left set after 12:00 noon, February 26, 1972.

9.02. Mink, Muskrat, and Fisher Trapping - No traps shall be set before 8:00 a.m., November 6, 1971, or either set or left set after 12:00 noon, February 26, 1972, prevailing time.

9.03. Beaver Trapping - No traps shall be set before 8:00 a.m. November 6, 1971, or either set or left set after 12:00 noon, February 26, 1972. Exception: Berkeley, Jefferson and Morgan Counties - 8:00 a.m., December 20, 1971 through 12:00 noon, February 26, 1972.

Section 10. Trapping Bag and Possession Limits

10.01. Raccoon - Daily (any 24-hour period) and seasonal bag limits for raccoon trapping shall be the same as for hunting.

10.02. Mink and Muskrat - No limit.

10.03. Fisher - Daily limit one; season limit two.

10.04. Beaver - Daily limit (15); season limit (15).

Exception: Berkeley, Jefferson and Morgan Counties - Daily limit (10), season limit (10).

Section 11. Controlled Public Hunting Areas:

11.01. Rules and regulations governing hunting and trapping on state-owned and leased lands shall be as follows:

(a) Bluestone Public Hunting and Fishing Area - Hunting and trapping as on adjacent lands, except as follows: Woodchuck or groundhog season, October 16, 1971, through January 8, 1972. A free permit to trap furbearers available at area office, Indian Mills. It is unlawful to have a rifle on the area at any time.

(b) McClintic Wildlife Station: Hunting as on adjacent lands, except as follows: Waterfowl hunting only in accordance with special rules set up for the station. A free permit to hunt, available at the checking station, is required. Checking station will open at 7:00 a.m. Trapping by permit from Area Manager.

(c) Elk River and Corps of Engineers Property (at Sutton Lake, under control of the Division of Wildlife Resources), Fork Creek, Big Ugly, Chief Cornstalk, Nathaniel Mountain, Short Mountain, Pleasants Creek, Sleepy Creek, Lewis Wetzel, Hughes River, Laurel Creek, Plum Orchard, Williams River, West Virginia Pulp and Paper (WESTVACO)

lands in Hampshire County, Public Hunting and/or Fishing Areas:

Hunting as on adjacent lands. No permit is required to hunt.

Trapping only under permit which is available from the office of the District Game Manager.

(d) State Forests (Greenbrier, Cabwaylingo, Camp Creek, Cooper's Rock, Kanawha, Kumbrabow, Panther, Cal Price and Seneca):
Hunting as on adjacent lands, except as noted below. A free permit available from the Forest Superintendent is required to hunt or trap on all state forests, except Cal Price. Raccoon trapping season closed on all state forests.

