



Obsolete

STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES

CHARLESTON 25305

August 7, 1970

IRA S. LATIMER, Jr.
Director

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

Dear Secretary Rockefeller:

Enclosed are two (2) copies of the West Virginia Administrative Regulations covering the 1970-71 hunting and trapping regulations, designated Series IV 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,

Ira S. Latimer, Jr.
Director

ISL:dcm
Enclosures
cc: Mr. Charles W. Lewis

STATE OF WEST VIRGINIA
SECRETARY OF STATE
OFFICE OF

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Obsolete

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
Department of Natural Resources

Chapter 20-1
Series IV
(1970)

Aug. 11, 1970

Subject: 1970-71 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. Any rifle using center-fire ammunition may be used for hunting deer. 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 (a) make use of, or take advantage of, any artificial light in hunting for, locating, taking, trapping, or killing any wild bird or wild animal; or (b) make use of, or take advantage of, any artificial light in hunting for, taking, attracting, trapping, or killing any wild bird or wild animal, or to attempt to do so, while having in his possession or subject to his control any firearm, whether cased or uncased, or

other implement or device suitable for taking, killing, trapping, skinning, or dressing such wild bird or animal.

2.06. Obtain written permission before hunting on private land.

2.07. 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.

2.08. 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.

2.09. 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 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.

2.10. Any hunter under 15 must be accompanied by a licensed adult.

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

2.12. A National Forest Hunting License (Class I) is required in addition to other licenses when hunting on National Forest lands.

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

2.14. It is illegal to, smoke game from trees, dens, rocks, or other cover.

2.15. It is illegal to carry an uncased gun and/or 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.

2.16. No person may legally take more than one bear per calendar year.

2.17. 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.

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 from October 3, 1970, through October 9, 1970, 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 '26.
- (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.

3.05. Spring Gobbler Season:

- (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 10, 1970 - January 2, 1971. September 12, 1970 - January 2, 1971 - Only in the following counties: Boone, Fayette, Kanawha, Lincoln, Logan, Mingo, McDowell, Raleigh, Wayne and Wyoming.

4.02. Ruffed Grouse (native pheasant) - October 10, 1970 - February 27, 1971.

4.03. Wild Turkey - October 10, 1970 - November 21, 1970 - 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 10, 1970 - October 31, 1970 - 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 26, 1971 - May 15, 1971.

4.04. Bobwhite Quail - November 7, 1970 - February 27, 1971.

4.05. Ring-Necked Pheasant (either sex) - November 7, 1970 - January 2, 1971.

4.06. Cottontail Rabbit - November 7, 1970 - February 27, 1971.

4.07. Varying Hare - November 7, 1970 - February 27, 1971.

4.08. Raccoon Hunting - Open 6:00 p.m. - October 10, 1970 - Closing January 24, 1971 at 5:00 a.m.

4.09. Black Bear (Adult Animals Only) - Firearms Season, November 2, 1970 - November 7, 1970. December 14, 1970 - December 26, 1970 - 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, Gray Fox, Skunk, Opossum, Woodchuck or Groundhog - Continuous open season except for the period October 3, 1970 through October 9, 1970. 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, and Virginia Rails - September 19, 1970 - November 27, 1970.

4.14. Mourning Dove - 12:00 noon September 1, 1970 - September 30, 1970; October 10, 1970 - October 27, 1970; December 25, 1970 - January 15, 1971.

Note: Mourning dove shooting permitted from 12:00 noon to sunset EST only; by Federal Regulation.

4.15. Woodcock and Snipe - September 19, 1970 - September 26, 1970; October 10, 1970 - December 5, 1970.

4.16. Ducks - October 10, 1970 - October 24, 1970. (See State Migratory Bird Regulations for second part of split season.)

4.17. Geese - October 10, 1970. (See State Migratory Regulations for closing date.)

4.18. Deer - Gun - November 23, 1970 - December 5, 1970. (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 Dove - 12 per day, possession of 24 after first day.

5.12. Ducks - (See Federal Regulations.)

5.13. Geese - (See Federal Regulations.)

5.14. Woodcock - Three per day and six in possession after first day in September season. Five per day and 10 in possession after first day for remainder of season.

5.15. Wilson's Snipe - Eight per day and 16 in possession after first day.

5.16. Gallinules - 15 per day and 30 in possession after first day.

5.17. Virginia and Sora Rails - 25 per day and 25 in possession, singly or in the aggregate of the two species.

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; unlawful to have both gun and 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 10, 1970 - December 31, 1970 - Deer of either sex, except that deer to be hunted with bow during the firearms deer season shall be the same as for 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 10, 1970 - December 31, 1970 - 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 30, 1971, and November 6, 1971. 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.

Section 9. Trapping Seasons

9.01. Raccoon Trapping - No traps shall be set before 8:00 a.m., November 7, 1970 or either set or left set after 12:00 noon, February 27, 1971.

9.02. Mink, Muskrat, and Fisher Trapping - No traps shall be set before 8:00 a.m., November 7, 1970, or either set or left set after 12:00 noon, February 27, 1971.

9.03. Beaver Trapping - No traps shall be set before 8:00 a.m. November 7, 1970, or either set or left set after 12:00 noon, February 27, 1971.

Exception: Berkeley, Jefferson and Morgan Counties - 8:00 a.m., December 21, 1970, through 12:00 noon, February 27, 1971.

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 Reservoir Public Hunting Area: Hunting and trapping as on adjacent lands, except as follows: Woodchuck or groundhog season, October 10, 1970 through January 2, 1971. 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 area 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 Reservoir, under control of the Division of Wildlife Resources), Fork Creek, Big Ugly, 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.

