



STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES

CHARLESTON 25305  
August 7, 1979

DAVID C. CALLAGHAN  
Director

The Honorable A. James Manchin  
Secretary of State of West Virginia  
State Capitol Building  
Charleston, West Virginia 25305

Dear Secretary Manchin:

Enclosed are two copies of the West Virginia Administrative Regulations covering the 1979-80 Hunting Seasons for Waterfowl and Other Migratory Game Birds, designated Series IX of Chapter 20-1, superseding those currently on file for 1978-79. Federal Guidelines have not been established for waterfowl at this time, and we will file an addendum to these regulations as soon as the Federal Guidelines are received.

In order to meet the opening date of September 1, as set by the Federal Government, in accordance with the provisions of 29A-3-14, these regulations are being filed on an emergency basis, to be effective September 1, 1979.

It has been determined that it is not necessary to place a legal advertisement concerning these regulations, since the Department has this date released a newsletter to all news media in the State (copy enclosed). Such information shall be available to all interested individuals in West Virginia prior to the opening of the migratory season. Also, such regulations have been submitted to your office for filing in the State Register, to be permanent after the thirty-day period.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Callaghan".

David C. Callaghan  
Director

DCC:jrm  
Enclosures

FILED IN THE OFFICE OF  
SECRETARY OF STATE  
THIS DATE 8-7-79



STATE OF WEST VIRGINIA  
OFFICE OF THE SECRETARY OF STATE  
CHARLESTON 25305

FILED IN THE OFFICE OF  
SECRETARY OF STATE  
THIS DATE 8-7-79

A. JAMES MANCHIN  
SECRETARY OF STATE

STATE REGISTER FILING

I, David C. Callaghan, Director,  
Title or Position

West Virginia Department of Natural Resources, hereby submit to record in  
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify ( emergency regulations & newsletter ).

This filing pertains to

Chapter 20  
Article 1  
Series IX  
Section 1-3  
Page No. 1-4

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

August 7, 1979  
Date Submitted

*David C. Callaghan*  
Signature of Person Authorizing  
this Filing

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

Department of Natural Resources  
Chapter 20-1  
Series IX  
(1978) (1979)

FILED IN THE OFFICE OF  
SECRETARY OF STATE  
8-7-79

Subject: ~~1978-79~~; 1979-80 Hunting Seasons for Migratory Game  
Birds

By virtue of the authority granted to the Natural Resources Commission of the Department of Natural Resources by Article 1, Section 17, Chapter 20 of the Code of West Virginia, the following hunting seasons and regulations for migratory game birds are hereby promulgated and shall become effective at 12:00 noon on ~~September 1, 1978~~; September 1, 1979, and shall expire at sunset on ~~January 2, 1979~~; January 1, 1980, unless otherwise amended or new regulations are issued by the director. All seasons, unless otherwise noted, are statewide and subject to change. The opening and closing dates shall be inclusive, except as noted under exceptions. All time periods shall be prevailing time except as otherwise noted.

SECTION 1. OPENING AND CLOSING DATES

1.01. Mourning Doves - ~~September 1 -- October 31, 1978~~;  
September 1 - October 31, 1979 and ~~December 25 -- January 2,~~  
1979; December 24 - January 1, 1980.

1.02. Sora and Virginia Rails - ~~September 11 -- November 17,~~  
1978; September 10 - November 17, 1979.

1.03. Woodcock - ~~September 11 -- September 19, 1978;~~  
~~October 14 -- November 18, 1978; November 23 -- December 2, 1978;~~  
~~and December 7 -- December 16, 1978;~~ October 13 - December 15,  
1979.

1.04. Common Snipe - ~~September 11 -- December 26, 1978;~~  
September 10 - December 25, 1979.

## SECTION 2. BAG AND POSSESSION LIMITS

2.01. Mourning Doves - bag limit 12 per day, 24 possession  
limit.

2.02. Sora and Virginia Rails - (in combination) - 25 per day,  
25 possession limit.

2.03. Woodcock - 5 per day, 10 possession limit.

2.04. Common (Wilson's) Snipe - 8 per day, 16 possession  
limit.

2.05. King and Clapper Rails - No open season.

2.06. Shooting hours are one-half ( $\frac{1}{2}$ ) hour before sunrise to  
sunset for all migratory birds except mourning doves which may  
only be hunted from noon (12:00 p. m. prevailing time) to sunset.

## SECTION 3. GENERAL REGULATIONS

3.01. Everyone who has attained the age of 16 years must have  
an unexpired Federal Migratory Bird Hunting Stamp (commonly  
called a "Duck Stamp") on his person validated by his signature

in ink across the face of the stamp to hunt ducks and geese.

3.02. A "Duck Stamp" is not needed to hunt doves, coots, rails, gallinules, snipe, or woodcock.

3.03. It is lawful to hunt waterfowl on open lakes, rivers, and waterways of the State during the antlered deer season should the waterfowl season be open at that time.

3.04. One fully-feathered wing or head must remain attached to all migratory game birds, except doves, at all times while being transported from the place where taken until they have arrived at the personal abode of the possessor or a commercial preservation facility. Any package or container in which birds are being transported by common carrier must have the name and address of the shipper and consignee, and an accurate statement of the numbers and kinds of birds contained therein conspicuously marked on the outside.

3.05. When hunting migratory birds you can use:

(a) A motorboat as a shooting site if it is beached, resting at anchor, or tied to a hunting blind or other fixed object. However, rails may be taken from a boat with the motor attached when the motor is shut off, forward progress from power has ceased, and the boat is immobile or being propelled by paddle, oars, or pole.

(b) Motor-driven boats to retrieve injured or dead

birds, if you do not shoot.

(c) A motorboat from which to shoot cripples after motor is shut off, anchor dropped, and forward motion has ceased.

(d) Dogs for both flushing and retrieving waterfowl.

(e) Long bow and arrow, or a shotgun not larger than 10-gauge and limited to three-shell capacity by construction or by plugging, as described in the following paragraph.

(f) A blind or other type of concealment except a sinkbox or livestock.

3.06. When hunting migratory birds you cannot use:

(a) A shotgun larger than 10-gauge, or one capable of holding more than three shells unless plugged with a one-piece filler which cannot be removed without disassembling the gun.

(b) A trap, snare, net, crossbow, rifle, pistol, swivel or machine gun.

(c) Live birds as decoys.

(d) Bait (shelled, shucked, or unshucked corn, wheat or other grain, salt, or other food) to lure or attract birds.

(e) Electronic recordings or electrically amplified imitation of bird calls.

(f) Livestock as a blind or means of concealment.

(g) Any motor-driven land, water, or air conveyance or a sailboat to concentrate, drive, rally, or stir up waterfowl.

## MIGRATORY BIRD SEASON OPENINGS--1979

West Virginia's migratory bird hunting season will begin with mourning doves at noon on September 1, according to James M. Ruckel, wildlife resources division assistant chief.

Ruckel said, "To obtain maximum hunting and management benefits from both migratory and resident birds, state hunters will have a split mourning dove season which will be Sept. 1--Oct. 31 and Dec. 24--Jan. 1 with a bag limit of 12 per day and 24 in possession."

Sora and Virginia rails will be legal game Sept. 10 - Nov. 17 with a daily bag and possession limit of 25.

This year's snipe season will be 107 consecutive days, beginning one-half hour before sunrise on Sept. 10 and ending Dec. 25 at sunset. Daily bag and possession limits may not exceed 8 and 16, respectively.

Ruckel continued, "Our woodcock season will be a 64-day season Oct. 13 - Dec. 15, with a daily bag limit of 5 and possession limit 10.

Ruckel also pointed out that the shooting hours for snipe, woodcock, and rails are one-half hour before sunrise to sunset each day. Shooting hours for mourning doves shall be noon to sunset each day of the season except Sunday, when all hunting is prohibited by state law.

Approved by: \_\_\_\_\_

Date \_\_\_\_\_