

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

Department of Natural Resources

Chapter 20-1

Series IX

1984

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE 8-7-84
Administrative Law Division

Subject: 1984-85 Hunting Seasons for Migratory Game Birds

Section 1. General

1.01. Scope. To regulate the hunting of migratory game birds in West Virginia.

1.02. Authority. These regulations are issued under authority of the West Virginia Code, Chapter 20, Article 1, Section 17.

1.03. Filing Date. These regulations become effective on the 1st day of September 1984, at 12:01 a.m., and shall expire at midnight on the 31st day of January 1985, unless otherwise amended or new regulations are issued by the Director. 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 2. General Purpose

2.01. To establish opening and closing dates, shooting hours, and bag limits for the hunting of migratory game birds in West Virginia. All seasons are subject to change.

Section 3. Opening and Closing Dates

3.01. Mourning Doves - September 1 - November 1, 1984. Shooting hours in first segment are from 12:00 noon to sunset. Second segment December 24 - December 31. Shooting hours are from one-half hour before sunrise to sunset.

3.02. Sora and Virginia Rails - September 3 - November 10, 1984. Shooting hours are from one-half hour before sunrise to sunset.

3.03. Woodcock - October 13 - December 15, 1984. Shooting hours are from one-half hour before sunrise to sunset.

3.04. Common Snipe - September 3 - December 18, 1984. Shooting hours are from one-half hour before sunrise to sunset.

3.05. King and Clapper Rails - No open season.

Section 4. Bag and Possession Limits

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

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

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

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

Section 5. Federal Regulations

5.01. No persons shall take migratory game birds:

(a) With a trap, snare, net, crossbow, rifle, pistol, swivel gun, shotgun larger than 10-gauge, punt gun, battery gun, machine gun, fishhook, poison, drug, explosive, or stupefying substance.

(b) With a shotgun capable of holding more than three shells, unless it is plugged with a one-piece filler which is incapable of removal without disassembling the gun.

(c) From a sink box (a low floating device, having a depression affording the hunter a means of concealment beneath the surface

of the water).

(d) From or with the aid or use of a car or other motor-driven land conveyance, or any aircraft, except that paraplegics and single or double amputees of the legs may take from any stationary motor vehicle or stationary motor-driven land conveyance. "Paraplegic" means an individual afflicted with paralysis of the lower half of the body with involvement of both legs, usually due to disease of or injury to the spinal cord.

(e) From or by means of any motor boat or sail boat unless the motor has been completely shut off and/or the sail furled, and its progress therefrom has ceased.

(d) By the use or aid of live decoys. All live, tame or captive ducks and geese shall be removed for a period of 10 consecutive days prior to hunting, and confined within an enclosure which substantially reduces the audibility of their calls and totally conceals such tame birds from the sight of migratory waterfowl.

(e) Using records or tapes of migratory bird calls or sounds, or electrically amplified imitations of bird calls.

(f) By driving, rallying, or chasing birds with any motorized conveyance or any sail boat to put them in the range of the hunters.

(g) By the aid of baiting (placing feed such as corn, wheat,

salt, or other feed to constitute a lure or enticement), or on or over any baited area. Hunters should be aware that a baited area is considered to be baited for 10 days after the removal of the bait, and it is not necessary for the hunter to know an area is baited to be in violation.

5.02. Closed Season. No person shall take migratory game birds during the closed season.

5.03. Shooting or Hawking Hours. No person shall take migratory game birds except during the hours open to shooting and hawking as prescribed.

5.04. Daily Bag Limit. No person shall take in any one day more than one daily bag limit.

5.05. Field Possession Limit. No person shall possess more than one daily bag limit while in the field or while returning from the field to ones' car, hunting camp, home, etc.

5.06. Wanton Waste. All migratory game birds killed or crippled shall be retrieved, if possible, and retained in the custody of the hunter in the field.

5.07. Tagging. No person shall give, put or leave any migratory game birds at any place or in the custody of another person unless the birds are tagged by the hunter with the following information:

1. The hunter's signature.
2. The hunter's address.

3. The total number of birds involved, by species.
4. The dates such birds were killed.

No person or business shall receive or have in custody any migratory game birds belonging to another person unless such birds are properly tagged.

5.08. Possession of Live Birds. Wounded birds reduced to possession shall be immediately killed and included in the daily bag limit.

5.09. Dressing. No person shall completely field dress any migratory game bird (except doves and band-tailed pigeons) and then transport the birds from the field. The head or one fully feathered wing must remain attached to all such birds while being transported from the field to one's home or to a migratory bird preservation facility.

5.10. Shipment. No person shall ship migratory game birds unless the package is marked on the outside with: (a) the name and address of the person sending the birds, (b) the name and address of the person to whom the birds are being sent, and (c) the number of birds, by species, contained in the package.

5.11. Importation. For information regarding the importation of migratory birds killed in another country hunters should consult 50 CFR 20.61 through 20.66. One fully-feathered wing must remain attached to all migratory game birds being transported between the port

of entry and one's home or to a migratory bird preservation facility. No person shall import migratory game birds killed in any foreign country, except Canada, unless such birds are dressed (except as required in 20.63), drawn, and the head and feet are removed. No person shall import migratory game birds belonging to another person.

5.12. Migratory Bird Hunting and Conservation Stamp. The law requires that each waterfowl hunter 16 years of age and over must carry on his person a valid Migratory Bird Hunting and Conservation Stamp, or duck stamp, signed in ink across the face. A "duck stamp" is not needed to hunt doves, coots, rails, gallinules, snipe, or woodcock.

5.13. Dual Violation. Violation of State Migratory Bird Regulations is also a violation of Federal Regulations.

5.14. Reference. Federal regulations related to migratory game birds are located in Title 50, Code of Federal Regulations, Part 20.

Section 6. Special State Regulations

6.01. McClintic Wildlife Station Regulations:

(a) Hunting hours for waterfowl within the controlled waterfowl hunting area will be from legal shooting time until 12:00 noon (prevailing time), October 1 - October 16, 1982.

(b) Waterfowl hunting in the controlled hunt area will be by permit only. This area is designated by signs and includes Ponds 3, 6, 7, 8, 9, 11, 13, 19, 36, 39, and 40. Applications for a permit must

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be submitted to the Department of Natural Resources, Route 1, Box 125,
Pt. Pleasant, West Virginia 25550, prior to September 17, 1982.

(c) Ponds 1, 2, 12, 13, 16, and 17 will be closed to
waterfowl hunting.

6.02. It is lawful to hunt waterfowl on major waterways, lakes, and
reservoirs of the state during the gun season for deer should the waterfowl
season be open.