



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES

CHARLESTON 25305

September 1, 1982

JOHN D. ROCKEFELLER IV
Governor

DAVID C. CALLAGHAN
Director

WILLIS H. HERTIG, JR.
Deputy Director

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

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 9/17/82
Administrative Law Division

Dear Mr. Secretary:

Your attention is invited to my letter of August 24, 1982 transmitting the West Virginia Administrative Regulations covering the 1982-83 Hunting Seasons for Waterfowl and Other Migratory Game Birds, designated Series IX of Chapter 20-1. Federal Guidelines have now been established for waterfowl, and we are enclosing two copies of the addendum, designated Series IXa. These regulations are to be effective October 1, 1982, in accordance with the opening date as set by the Federal Government.

These regulations are exempt from the provisions of Chapter 29-A (see 29A-1-3(c)).

Sincerely,


David C. Callaghan
Director

DCC:jrm
Enclosures



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

A. JAMES MANCHIN
SECRETARY OF STATE

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 9/17/82
Administrative Law Division

STATE REGISTER FILING

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

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;
- (x) rules and regulations; or
- () other - specify ()).

This filing pertains to

Chapter 20
Article 1
Series IXa
Section 1-5
Page No. 1-5

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

September 1, 1982
Date Submitted

David C. Callaghan
Signature of Person Authorizing
this Filing

FILING OF ADMINISTRATIVE REGULATIONS

Department of Natural Resources

Chapter 20-1
Series IX

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 9/7/82
Administrative Law Division

Hunting Seasons for Waterfowl and Other Migratory Game Birds

- | | |
|------------|---------------------------|
| Section 1. | General |
| Section 2. | General Purpose |
| Section 3. | Opening and Closing Dates |
| Section 4. | Bag and Possession Limits |
| Section 5. | Federal Regulations |
| Section 6. | Special State Regulations |

Series IXa

Addendum to Hunting Seasons for Waterfowl and Other Migratory Game Birds

- | | |
|------------|---------------------------|
| Section 1. | General |
| Section 2. | General Purpose |
| Section 3. | Opening and Closing Dates |
| Section 4. | Bag and Possession Limits |
| Section 5. | Special State Regulations |

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

DEPARTMENT OF NATURAL RESOURCES

Chapter 20-1
Series IXa
1982

Subject: Addendum to the 1982 Hunting Seasons for
Migratory Game Birds

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 9/17/82
Administrative Law Division

Section 1. General

1.01. Scope. To regulate the hunting of migratory waterfowl 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 are promulgated on the 1st day of September 1982, and filed on the 1st day of September 1982, in the Secretary of State's Office.

1.04. Effective Date. These regulations become effective on the 1st day of October 1982, at 12:01 a.m., and shall expire at midnight on the 15th day of January 1983, 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 and bag limits for the hunting of migratory waterfowl in West Virginia. All seasons are subject

to change.

Section 3. Opening and Closing Dates.

3.01. Zone 1 - Ducks, Mergansers, Coots, Gallinules, Canada Geese, Snow Geese, and Blue Geese - Split season October 1 - October 16, 1982, and December 13, 1982 - January 15, 1983.

3.02. Zone 2 - Ducks, Mergansers, Coots, Gallinules, Canada Geese, Snow Geese, and Blue Geese - Split season October 1 - October 16, 1982, and November 1 - December 4, 1982.

3.03. Zones defined.

(a) Zone 1 - Entire state except Zone 2.

(b) Zone 2 - Beginning at the West Virginia state line, the eastern boundary extends south along U.S. Route 220 through Keyser, West Virginia to the intersection of U.S. Route 50, and follows U.S. Route 50 west to the intersection with State Route 93. The boundary follows State Route 93 south to the intersection with State Route 42 and continues south on State Route 42 to Petersburg. At Petersburg, the boundary follows State Route 28 south to Minnehaha Springs and then follows State Route 39 west to U.S. Route 219 and follows 219 south to the intersection of Interstate 64. The southern boundary follows I-64 west to the intersection with U.S. Route 60, and follows Route 60 west to the intersection of U.S. Route 19. The western boundary follows Route 19 north to the intersection of I-79, and follows I-79, north to the Pennsylvania state line.

Section 4. Bag and Possession Limits

4.01. Ducks. 4 per day, 8 possession limit. The daily duck bag limit of 4 can include only one (1) canvasback; one (1) redhead; two (2) black ducks and two (2) wood ducks. The duck possession limit of eight (8) can include only one (1) canvasback, one (1) redhead, four (4) black ducks and four (4) wood ducks. During the period October 1 - October 9, 1982, a hunter may take an extra bag limit of two (2) blue-winged teal and/or green-winged teal daily and four (4) in possession. This extra limit is in addition to the regular duck bag and possession limits. Also, hunters may take two (2) additional scaup (bluebills) daily and four (4) in possession statewide. This extra limit is in addition to the regular duck bag limits.

4.02. Mergansers. 5 per day, 10 possession limit. The daily merganser bag limit can include only one (1) hooded merganser, and the possession limit for hooded mergansers is two (2).

4.03. Coots. 15 per day, 30 in possession.

4.04. Gallinules. 15 per day, 30 in possession.

4.05. Canada Geese. 1 per day, 1 in possession.

4.06. Snow and Blue Geese. 4 per day, 8 in possession.

Section 5. Special State Regulations

5.01. McClintic Wildlife Station. Waterfowl regulations are the same as those in effect statewide with the following exceptions:

- (a) Waterfowl hunting is prohibited on ponds 1, 2, 12, 13, 16 and 17.

5.02. Regulations for the controlled waterfowl hunting area of McClintic Wildlife Station:

(a) Hunting hours for waterfowl will be from legal shooting time until 12:00 noon (prevailing time), October 1 - October 16, 1982, in the controlled waterfowl hunting area. This area is marked by signs and includes ponds 3, 6, 7, 8, 9, 11, 18, 19, 36, 39, and 40, and that portion of Old Town Creek which borders the controlled waterfowl hunting area.

(b) Hunting on the controlled area shown on the map, including that portion of Old Town Creek, is restricted to waterfowl hunting only from state-controlled blinds during the period October 1 - October 16, 1982.

(c) Successful applicants must report to the McClintic Wildlife Station office prior to 6:00 a.m. on the morning of the hunt.

(d) Failure to report by 6:00 a.m. forfeits the successful applicant's reservation. That blind will then be filled on a first come, first served basis.

(e) Hunters in the controlled area are restricted to 15 shells.

(f) Guns must be cased and unloaded except when in the "blind" area.

(g) Dogs must be on leash except when in the blind area.

(h) A controlled hunting permit must be in possession while hunting in the controlled area.

(i) Hunters must check out at the McClintic Wildlife Station Office, present the day's bag for inspection and return permit prior to 1:00 p.m. on the day of the hunt.

(j) Hunters may not travel more than 75 yards from the blind in the pursuit of cripples.

(k) The "blind area" is defined as the area within 75 yards of the hunter's assigned blind.

(l) Only waterfowl may be taken during the first phase of waterfowl season in the controlled hunt area even if other seasons run concurrently.

(m) No alcoholic beverages will be permitted in the "blind" area.

(n) A hunter in the controlled area who violates regulations or conducts himself in an unsportsman-like manner at the McClintic Wildlife Station will be denied a permit.

(o) Letters of notification to successful applicants are not transferrable.