



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25306

JOHN D. ROCKEFELLER IV
Governor

September 9, 1981

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

Dear Mr. Secretary:

Your attention is invited to my letter of August 3, 1981, transmitting the West Virginia Administrative Regulations covering the 1981-82 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 three copies of the addendum, designated Series IXa.

In order to meet the opening date of October 1, as set by the Federal Government, these regulations are being filed on an emergency basis, to be effective October 1, 1981.

Information relating to these regulations will be disbursed to all news media of the state in the form of a news release (copy enclosed), and will be available to all interested individuals prior to the effective date of the migratory waterfowl hunting regulations.

I hereby certify that the enclosed regulations are true and accurate copies of official regulations to be adopted by the Department of Natural Resources.

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 9/11/81
Administrative Law Division

Sincerely,


David C. Callaghan
Director

DCC/cia

Enclosures



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

A. JAMES MANCHIN
SECRETARY OF STATE

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

This filing pertains to Emergency regulations to regulate hunting of
Migratory Waterfowl.

Chapter	<u>20</u>
Article	<u>1</u>
Series	<u>IXa</u>
Section	<u>1 - 5</u>
Page No.	<u>1 - 4</u>

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

September 9, 1981
Date Submitted

David C. Callaghan
Signature of Person Authorizing
this Filing

FILING OF ADMINISTRATIVE REGULATIONS
Department of Natural Resources
Chapter 20-1
Series IX
Hunting Seasons for Waterfowl and Other Migratory Game Birds

- Section 1. Opening and Closing Dates
- Section 2. Bag and Possession Limits
- Section 3. General 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
1981

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 9/11/81
Administrative Law Division

Subject: Addendum to the 1981 Hunting Seasons for Waterfowl and Other Migratory Game Birds

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 West Virginia Code, Chapter 20, Article 1, Section 17.

1.03. Filing Date. These regulations are promulgated on the 9th day of September 1981, and filed on the 9th day of September, 1981, in the Secretary of State's Office.

1.04. Effective Date. These regulations become effective on the 1st day of October, 1981, at 12:01 a.m., and shall expire at midnight on the 16th day of January, 1982, 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 17, 1981, and December 15, 1981 - January 16, 1982.

3.02. Zone 2 - Ducks, Mergansers, Coots, Gallinules, Canada Geese, Snow Geese, and Blue Geese - Split season October 1 - October 17, 1981, and November 3 - December 5, 1981.

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, 1981, 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 17, 1981, 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 17, 1981.

(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 transferable.

NEWS RELEASE -

To Be Released Immediately

1981-82 WATERFOWL SEASON ESTABLISHED

In an effort to improve hunter satisfaction and equalize harvest opportunities, West Virginia is again divided into two waterfowl hunting zones in 1981-82. Each zone will have a split season which opens October 1, according to the wildlife resources division.

This zoning system permits a second season in the cold mountainous areas before ponds and streams freeze, as well as mid-winter hunting in the warmer sections of the state.

The approximate boundaries are as follows:

Zone II includes the state's highest elevations and is bounded on the west by Interstate 79 and U.S. Route 19 from Morgantown to U.S. Route 60; the east is bounded by a series of state and federal highways between Keyser, Petersburg, Huntersville and Interstate 64; the north boundary follows the West Virginia state border between Interstate 79 and Keyser; the south boundary follows U.S. Route 60 and Interstate 64 between Fayetteville and Lewisburg.

Zone I includes the remainder of the state not in Zone II.

The first segment of the season will be the same in both zones; October 1 - October 17, 1981. The second segment of the waterfowl season in Zone II (mountain area) will reopen November 3 and close December 5. In Zone I, the second segment will run from December 15 through January 16, 1982.

Legal shooting hours will be one-half hour before sunrise to sunset daily during this period except on Sundays when all hunting is illegal.

The daily aggregate bag limit of four ducks can include the following combinations: one canvasback, one redhead, a maximum of two black ducks

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and/or two wood ducks. The aggregate possession limit of eight ducks can include the following combinations: one canvasback, one redhead, a maximum of four black ducks and/or four wood ducks. The Canada goose possession and daily bag limits are one.

Hunters should consult the 1981-82 migratory bird hunting regulations for detailed description of zone boundaries, bag limits, seasons and laws. A copy of these regulations may be obtained at DNR district offices or by writing DNR, Wildlife Resources Division, 1800 Washington Street, E., Charleston, WV 25305.

APPROVED BY: _____

Bolmiller

DATE: _____

9/3/81