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WEST VIRGINIA ADMINISTRATIVE REGULATIONS

Department of Natural Resources

Chapter 20-1
Series III

(1970)

SUBJECT: 1970 Fishing Regulations

Section 1. Opening and Closing Dates

1.01. Black Bass -- (Smallmouth, Largemouth, Spotted) -- Open year-round.

1.02. Trout -- (Rainbow, Brook, Brown and Golden Rainbow) -- Open year-round.

1.03. Muskellunge and Northern Pike -- Open year-round.

1.04. Channel Catfish -- Open year-round.

1.05. Other Species -- Open year-round.

1.06. Frogs -- (Bull Frog and Green Frog) -- Open 9:00 p.m. DST, June 13, 1970. Closes at midnight, July 31, 1970.

(a) Frog season will open from May 15 through October 31, 1970 on Big Sandy and Tug Fork Rivers bordering Kentucky.

Section 2. Daily Creel Limits and Possession Limits

2.01. Black Bass -- (Smallmouth, Largemouth and Spotted) -- Daily creel limit is 8. Possession limit is 16 bass in the aggregate.

2.02. Trout -- (Rainbow, Brook, Brown and Golden Rainbow) -- Daily creel limit is 6; only 4 of the 6 may be taken from impoundments and the

following streams: Clear Fork, Spruce Laurel Fork, Marsh Fork, Big Sandy Creek, Big Huff Creek, Buffalo Creek, Paint Creek, Paw-Paw Creek, Cross Creek, Kings Creek, Tomlinson Run, Wayne Dam, West Fork Twelvepole Creek, Wheeling Creek, Wickwire Run, North Fork Dam, South Fork Fishing Creek.

Possession limit is 16.

(a) Special Regulation -- Otter Creek, in Randolph County, shall be closed from the experimental limestone drum treatment station downstream to Turkey Run.

(b) Only one line per angler will be permitted while fishing for trout in impoundments.

2.03. Muskellunge and Northern Pike -- No possession limit.

2.04. Channel Catfish -- Daily creel limit (applies to State Public Fishing Impoundments only) is 4; possession limit is 16.

2.05. Other Species -- No limit.

2.06. Frogs -- (Bull Frog and Green Frog) -- Nightly limit (Noon to Noon DST) is 10. Possession limit is 20 frogs.

Section 3. Size Limits

3.01. Black Bass--(Smallmouth, Largemouth and Spotted) -- No size limit.

(a) Special Regulation -- An experimental 12-inch limit shall be in effect on Wheeling Creek in Marshall and Ohio Counties.

3.02. Trout -- (Rainbow, Brook, Brown, and Golden Rainbow) -- No size limit.

3.03. Muskellunge and Northern Pike -- Minimum size limit is 26 inches total length.

3.04. Channel Catfish -- No size limit.

3.05. Other Species -- No size limit.

Section 4. Stream and Lake Closures

4.01. Otter Creek in Randolph County (See Sec. 2.02 (a)).

Section 5. Catch and Release Trout Fishing Areas

5.01. Back Fork of Elk River -- A section in Webster County, beginning two miles upstream from Webster Springs, extending upstream four miles. This section can be reached from secondary routes 29 and 24/3.

5.02. Shavers Fork -- A 5½ mile section in the Monongahela National Forest, Randolph County, north of U.S. Rt. 250, extending from the mouth of Whitemeadow Run downstream to the mouth of McGee Run. This section can be reached from National Forest Route 92, which intersects U.S. Rt. 250 four miles west of Cheat Bridge.

* Regulations for Catch and Release Trout Fishing Areas, "fish for fun" are as follows:

- 1) Fishing permitted during daylight hours only.
- 2) Only barbless hooks are permitted.
- 3) All natural baits; such as minnows, worms, salamanders, and insects are prohibited.
- 4) Baits made from cheese, meat, fish, tapioca, marshmallows, flour, meal, and salmon eggs are prohibited.

- 5) Deeply hooked or gill-hooked fish should be released by cutting the leader.
- 6) An angler may keep one trophy fish 18 inches or over in length but must immediately cease fishing in the "catch and release" area for that day.
- 7) All except a trophy fish must be returned to the water at once.

Section 6. Game Fish Defined

6.01. Game Fish are as follows: brook trout, brown trout, rainbow trout, golden rainbow trout, largemouth bass, smallmouth bass, spotted bass, striped bass, pickerel, muskellunge, northern pike, walleye, white bass, rock bass, crappie, bluegill, other sunfish, channel catfish and flat-head catfish.

Section 7. Other Methods of Fishing

7.01. Dipping -- Dipping for non-game fish only shall be lawful in open waters during the period from February 1, 1970 to midnight April 30, 1970. A dip net so used shall not exceed thirty-six square feet in overall area, and its mesh shall not be smaller than one-quarter inch.

7.01. Bow Fishing -- Year-round open season for carp; other non-game species may be taken by long bow during all months except May and June. It shall be unlawful to use an arrow having an explosive head or shaft. Residents must have legitimate fishing license to fish from any state waters by long bow. All other state fishing regulations apply.

7.03. Snaring and Gigging -- Non-game fish only may be taken by gigging or snaring from January 1 through May 15, and from July 15 through December 31.

(a) Special Regulation -- Anyone convicted of gigging game fish is subject to fishing license revocation.

7.04. Trot Lines -- One end must be attached to the bank and shall bear a legible waterproof identification tag. They must be attended at least once every 24 hours. Wire or cable lines and hooks with more than one point are prohibited. It is unlawful to attach trot lines to public piers and docks, or within 50 feet of dam appurtenances.

7.05. Drop Lines -- Bank, pole, or tree drop lines must be attended and removed from water after use.

7.06. Underwater Spear Fishing and Diving

1. Season shall be July 1 to October 1.

2. All fish, except game fish and catfish, may be taken in open waters by underwater spear fishing during the hours of daylight only.

Spear fishing is prohibited in the following waters:

a) New River, from Bluestone Dam downstream to the lower bridge at Hinton.

b) Elk River, from Sutton Dam downstream to Route 19 bridge at Sutton.

3. Spear guns may be discharged only beneath the surface of the water.

4. It shall be unlawful to use an explosive head or shaft.

5. Skin divers shall not fish or dive in such a manner as to interfere with hook and line fishermen.

6. Skin divers shall not fish or dive in heavily traveled boat lanes, marked swimming areas, or areas set aside for waterskiing.

7. "Diver down flag" shall be a red field of not less than 10 inches by 10 inches dimension with a white diagonal stripe not less than $1\frac{1}{2}$ inches wide running upper left to lower right. A minimum of two (2) flags per five (5) divers shall be displayed at all times. These flags must be affixed to a floatation device. All power boats will remain a minimum distance of fifty (50) feet away from the marker flags. The top of the flag shall be at least three (3) feet above the surface of the water.

8. No fish taken by spear fishing shall be returned to the waters or left on the banks of any waters.