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STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES  
CHARLESTON 25305

December 6, 1972

IRA S. LATIMER, Jr.  
Director

*Abolite*

*11/16/73*

The Honorable John D. Rockefeller IV  
Secretary of State  
State of West Virginia  
Capitol Building  
Charleston, West Virginia 25305

Dear Mr. Rockefeller:

Enclosed are two copies of West Virginia Administrative Regulations covering the 1973 Fishing Regulations, designated Series III of Chapter 20-1.

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

Sincerely yours,

*Ira S. Latimer, Jr.*

Ira S. Latimer, Jr.  
Director

ISL/drg

Enclosures

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS

Department of Natural Resources

Chapter 20-1  
Series III

(1973)

SUBJECT: 1973 Fishing Regulations

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Section 1. Opening and Closing Dates

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

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

(a) Otter Creek -- Open for fly fishing only June 1 through September 12.

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 P.M. DST, June 16, 1973. Closes at midnight, July 31, 1973.

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

Section 2. Daily Creel Limits and Possession Limits

2.01. Black Bass -- (Smallmouth, Largemouth, Spotted) --

Daily creel limit is 8. Possession limit is 16 bass in the aggregate.

2.02. Trout -- (Rainbow, Brook, Brown, Golden Rainbow) --

Daily creel limit is 6, including U. S. Army Corps of Engineers Lakes; only 4 of the 6 may be taken from State impoundments, Edwards Run, Otter Creek, and the following streams: Clear Fork, McDowell Co.; Spruce Laurel Fork, Boone Co.; Marsh Fork, Raleigh Co.; Big Sandy Ck., Preston Co.; Big Huff Ck., Wyoming & Logan Co.; Paint Ck., Fayette Co.; Panther Ck., McDowell Co.; Paw-Paw Ck., Marion Co.; Cross Ck., Brooke Co.; Kings Ck., Hancock Co.; Tomlinson Run, Hancock Co.; West Fork Twelvepole, Wayne Co.; Wheeling Ck., Marshall and Ohio Co.; Wayne Dam, Wayne Co.; Wickwire Run, Taylor Co.; North Fork Dam and South Fork Fishing Ck., Wetzel Co.; Grave Ck., Marshall Co. Possession limit is 12.

Daily creel limit on Catch and Release Areas is one, possession limit is one (Section 5).

(a) Only one line per angler will be permitted during period January 1 through June 15 while fishing for trout in small state impoundments stocked with trout. Does not apply to U. S. Army Corps of Engineers Lakes.

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.

### Section 3. Size Limits

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

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

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

(a) Special Regulation -- An 18-inch limit shall be in  
effect on Catch and Release Fishing Areas (Section 5).

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. Lake Closures

4.01. Rock Cliff Lake -- closed. Opening to be announced by  
U. S. Forest Service.

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 5 1/2 mile section in the Monongahela National Forest, Randolph County, north of U. S. Rt. 250, extending from the mouth of Whitmeadow Run downstream to the mouth of McGee Run. This section can be reached from National Forest Route 92, which intersects U. S. Route 250 four miles west of Cheat Bridge.

(a) Special Regulations -- Catch and Release Trout Fishing Areas (Fish-for-Fun) are as follows:

- 1) Fishing permitted during daylight hours only.
- 2) Only artificial flies and lures made of metal, wood, feathers, hair or synthetic material, equipped with barbless hooks may be used or possessed on a Catch and Release Trout Stream.
- 3) Deeply hooked or gill-hooked fish should be released by cutting the leader.
- 4) 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.
- 5) All except a trophy fish must be returned to the water at once.

Section 5. Supplement - Special Trout Fishing Areas

5.04 Pinnacle Creek -- A three-mile marked section near Pineville, Wyoming County is designated as a "fish for fun" area. Regulations for this area are as follows:

1. All fish caught must be returned to the water at once.
2. Only barbless hooks are permitted.
3. All natural baits, cheese, cheese eggs or plastic, rubber or synthetic imitations of the same are prohibited.
4. Wet or dry flies, spinners, spoons, nymphs, or plugs with barbless hooks are permitted.
5. Fishing permitted during daylight hours only.
6. An angler may not have fish in his possession while on the "fish for fun" stream.
7. Deeply hooked or gill hooked fish should be released by cutting the leader.

Section 6. Game Fish Defined

6.01. Game Fish -- 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 flathead 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, 1973 to midnight April 30, 1973. 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.

7.02. Long 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 a Class B Fishing License and nonresidents must have a Class L Bow and Arrow Hunting and 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, turtles, eels only may be taken by gigging or snaring from January 1 through May 15, and from July 15 through December 31. However, snaring of any species of sucker, carp, fallfish and creek chub shall at all times be unlawful.

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

(b) No person shall have in their possession about any public waters of this state any fishing paraphernalia without proper licenses.

7.04. Trotlines and Drop 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 trotlines to public piers and docks, or within 50 feet of dam appurtenances. Their use is prohibited in state operated small impoundments.

7.05. Seining for Minnows - Minnow Traps -- Are permissible provided the openings are not larger than one inch in diameter.

It is lawful to use a seine for obtaining bait only, provided the seine is not longer than six feet nor deeper than four feet. Game fish may not be seined for bait.

7.06. Underwater Spearfishing 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 spearfishing during the hours of daylight only. Spearfishing 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. Spearguns 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 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 separate and affixed to a flotation device, be within sight and not more than 100 feet apart. All powerboats will remain a minimum distance of 100 feet away from the marker flags. Divers must come up within 50 feet of flag. The top of the flag shall be at least 3 feet above the surface of the water.
8. No fish taken by spearfishing shall be returned to the waters or left on the banks of any waters.