



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25305

JOHN D. ROCKEFELLER IV
Governor

January 21, 1981

DAVID C. CALLAGHAN
Director
WILLIS H. HERTIG, JR.
Deputy Director

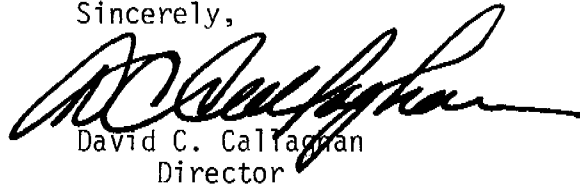
The Honorable A. James Manchin
Secretary of State of West Virginia
State Capitol Building
Charleston, West Virginia 25305

Dear Secretary Manchin:

Enclosed are two copies of a proposed amendment to West Virginia Administrative Regulations, designated Series III of Chapter 20-1. The amendment will establish a portion of Rich Creek in Monroe County as a Fly Fishing Only section. (See pages 1 and 4.)

A public hearing will be held from 7:00 p.m. to 8:30 p.m., at the Department of Natural Resources Operations Center, Ward Road, Elkins, West Virginia to solicit public comments concerning the proposed amendment to the regulations.

Sincerely,


David C. Callaghan
Director

DCC/alg

Enclosures

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STATE OF WEST VIRGINIA

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS

DEPARTMENT OF NATURAL RESOURCES

Chapter 20-1
Series III

1981 FISHING REGULATIONS

SECTION 1.0 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.
 - 1.02.1 Edwards Run in marked area within boundaries of Edwards Run Public Hunting and Fishing Area, Hampshire County (pond excluded)-- Open for Fly Fishing Only--June 1 through December 31.
 - 1.02.2 Rich Creek--in marked area extending from U.S. Route 219 crossing near Lindside, Monroe County to a point approximately one mile east of U.S. Route 219 toward the Mercer County Anglers Club Hatchery--Open for Fly Fishing Only--March 1 through December 31.
- 1.03 Muskellunge, Tiger Musky, Northern Pike--Open year-round.
- 1.04 Walleye--Open year-round.
- 1.05 Channel Catfish--Open year-round.
- 1.06 Other Species--Open year-round.
- 1.07 Frogs--(Bull Frog and Green Frog)--Open 9 p.m. DST, June 13. Closes at midnight, July 31.
 - 1.07.1 Frog season will open from May 15 through October 31, on Big Sandy and Tug Fork Rivers bordering Kentucky.

SECTION 2.0 DAILY CREEL LIMITS AND POSSESSION LIMITS

- 2.01 Black Bass--(Smallmouth, Largemouth, Spotted)--Daily creel limit is 8. Possession limit is 16 bass in aggregate.
 - 2.01.1 A daily creel limit of 5 per day and a possession limit of 10 shall be in effect in that portion of the Potomac River between the states of Maryland and West Virginia.

a deeply hooked or gill-hooked fish, the leader should be cut; 4) All fish caught must be returned to the water at once.

SECTION 5.0 FLY FISHING ONLY FISHING AREAS

- 5.01 Edwards Run--in marked area within the boundaries of the Edwards Run Public Hunting and Fishing Area, Hampshire County (pond excluded).
- 5.02 Second Creek, a marked area on the Monroe, Greenbrier County line, extending in a continuous section 3/4 mile downstream from Rodgers Mill.
- 5.03 Rich Creek--in marked area extending from U.S. Route 219 crossing near Lindside, Monroe County to a point approximately one mile east of U.S. Route 219 toward the Mercer County Anglers Club Hatchery.

5.023.1 Special Regulations--Fly Fishing Only (Fish-for-Fun) for Edwards Run, and Second Creek, and Rich Creek are as follows: 1) Fishing permitted during daylight hours only; 2) Only artificial flies and streamers may be used or in possession on any of the Fly Fishing Only streams; 3) Only conventional fly fishing tackle may be used. Open and closed faced spinning or spin cast reels are prohibited; 4) All fish caught must be returned to the water at once.

SECTION 6.0 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, tiger musky, northern pike, walleye, sauger, white bass, rock bass, crappie, bluegill, other sunfish, channel catfish, and flathead catfish.

SECTION 7.0 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 to midnight April 30. A dip net so used shall not exceed 36 square feet in overall area, and its mesh shall not be smaller than one-quarter inch.



STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25305

JOHN D. ROCKEFELLER IV
Governor

December 1, 1981

DAVID C. CALLAGHAN
Director
WILLIS H. HERTIG, JR.
Deputy Director

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

Dear Secretary Manchin:

A public hearing was held on November 30, 1981 to receive comments in regard to a proposed amendment to the 1982 fishing regulations. A copy of the Minutes of this meeting is attached.

As a result of this hearing, it has been determined that the attached rules and regulations will be adopted and should be filed in the State Register to become effective on January 1, 1982. We, therefore, request that the West Virginia Administrative Rules and Regulations covering the 1982 Fishing Regulations, designated Series III of Chapter 20-1, be amended accordingly. Enclosed are two copies of the amendment to be substituted for page 3 of these regulations.

Should you have any questions or need additional information, please contact me.

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 12-7-81
Administrative Services

Sincerely,

David C. Callaghan
Director

DCC/rmg

cc: The Honorable John D. Rockefeller IV
Natural Resources Commission Members
Legislative Rule-Making Review Committee



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

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

THIS DATE 12-7-81
 Administrative Law Division

Chapter 20
 Article 1
 Series III
 Section 4
 Page No. 3

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

December 1, 1981
 Date Submitted

David C. Callaghan
 Signature of Person Authorizing
 this Filing

Beech Fork lakes, Wayne County; Conaway Run Lake, Tyler County; and that portion of the Potomac River between the states of Maryland and West Virginia.

- 3.02. Trout--(Rainbow, Brook, Brown, Golden Rainbow)-No size limit.
- 3.03. Tiger Musky, Northern Pike--Minimum size limit is 28 inches total length.
- 3.04. Muskellunge--Minimum size limit is 30 inches total length.
- 3.05. Walleye--No size limit.
- 3.06. Channel Catfish--No size limit.
- 3.07. Other Species--No size limit.
- 3.08. Frogs--(Bullfrog and Green Frog)--No size limit.

FILED IN THE OFFICE OF
A. JAMES ARCHIN
SECRETARY OF STATE
THIS DATE 12-7-81
Administrative Law Division

SECTION 4.0 CATCH AND RELEASE TROUT FISHING AREAS

- 4.01. 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.
- 4.02. Shavers Fork--A 5 1/2-mile section in the Monongahela National Forest, Randolph County, north of U.S. Route 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.
- 4.03. North Fork of South Branch of the Potomac River, Pendleton County--A .75-mile section at Mouth of Seneca near the Seneca Rock Visitor Center. Access is by secondary route 28/3 at the junction of U.S. Rts. 28 and 33 at Mouth of Seneca.
 - 4.03.1 Special Regulation--Catch and Release Trout Fishing Areas (Fish-for-Fun) for Back Fork of Elk River, Shavers Fork, and the North Fork of South Branch of the Potomac River 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) To release a deeply hooked or gill-hooked fish, the leader should be cut; 4) All fish caught must be returned to the water at once.

MINUTES

Public Hearing

November 30, 1981

The Department of Natural Resources held a public hearing to discuss an amendment to the 1982 West Virginia fishing regulations on November 30, 1981 from 7:00 P.M. to 8:00 P.M. in the DNR Operations Center, Ward Road, Elkins, West Virginia 26241. No sportsmen or other individuals of the public attended. The Department of Natural Resources was represented by Don Phares, Assistant Chief of the Wildlife Resources Division.

One letter was received supporting the amendment from Mr. Robert Wilson, Route 2, Box 135, Elkins, West Virginia 26241.

DP/mg
12/1/81

NEWS

STATE OF WEST VIRGINIA • DEPARTMENT OF NATURAL RESOURCES • CHARLESTON 25305

David C. Callaghan, Director

FOR RELEASE: October 26, 1981

Phone: 304/348-3381

DNR SEEKS COMMENTS ON FISHING REGULATIONS

The Department of Natural Resources will conduct a public hearing to discuss an addendum to the 1982 West Virginia fishing regulations on November 30, 1981 from 7:00 P.M. to 8:00 P.M. in the DNR Operations Center, Ward Road, Elkins, West Virginia, 26241.

All interested persons are urged to participate in this regulations hearing. The proposed addendum, if adopted, will establish a .75-mile section of the North Fork of the South Branch of the Potomac River in Pendleton County as a Catch and Release (Fish-for-Fun) fishing area, and will become effective January 1, 1982. Both written and oral statements will be received at the meeting. Also, written statements will be received at the above address until November 30.

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STATE OF WEST VIRGINIA
DEPARTMENT OF NATURAL RESOURCES
CHARLESTON 25306

December 1, 1981

JOHN D. ROCKEFELLER IV
Governor

DAVID C. CALLAGHAN
Director
WILLIS H. HERTIG, JR.
Deputy Director

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

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DCC/rmg
cc: The Honorable John D. Rockefeller IV
Natural Resources Commission Members
Legislative Rule-Making Review Committee



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 OFFICE OF THE SECRETARY OF STATE
 CHARLESTON 25305

A. JAMES MANCHIN
 SECRETARY OF STATE

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 Title or Position

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FILED IN THE REGISTERED OFFICE
A. J. JAMES
18-7-81
The Law Division

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