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STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES  
CHARLESTON 25306

JOHN D. ROCKEFELLER IV  
Governor

December 30, 1982

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

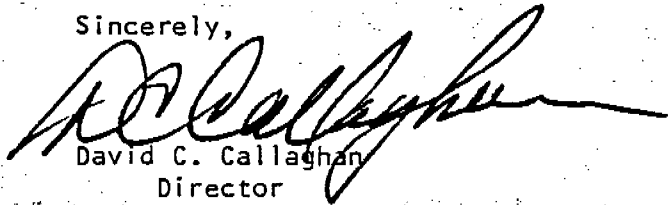
FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE Dec. 30, 1982  
Administrative Law Division

Dear Mr. Secretary:

In accordance with the provisions of Chapter 29A, Article 2, Section 5, of the Code of West Virginia, I am transmitting herewith Department of Natural Resources rules and regulations that have been previously filed, to be refiled in the State Register, to be effective January 1, 1983, and to remain in effect unless otherwise amended or new regulations are issued.

Sincerely,

  
David C. Callaghan  
Director

DCC/cia

Enclosures

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
Department of Natural Resources  
Chapter 20-1  
Series III  
Fishing Regulations  
1983

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
DEPARTMENT OF NATURAL RESOURCES

Chapter 20-1  
Series III

SUBJECT: 1983 FISHING REGULATIONS

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SECTION 1.0 GENERAL

- 1.01. Scope -- These procedural rules are promulgated to regulate sport fishing in West Virginia.
- 1.02. Authority -- These regulations are issued under authority of the West Virginia Code, Chapter 20, Article 1, Section 17(7) and are exempt from provisions of Chapter 29A-1-3(c).
- 1.03. Filing Date -- These regulations were promulgated on July 12, 1982, and filed on October 19, 1982, in the Secretary of State's Office and are hereby refiled on December 30, 1982.
- 1.04. Effective Date -- These regulations become effective on January 1, 1983 at 12:01 a.m., and shall expire at midnight on December 31, 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 2.0 OPENING AND CLOSING DATES

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



STATE OF WEST VIRGINIA  
DEPARTMENT OF NATURAL RESOURCES

CHARLESTON 25305

October 19, 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

Dear Secretary Manchin:

Enclosed are two copies of the West Virginia Administrative Regulations covering the 1983 Fishing Regulations, designated Series III of Chapter 20-1, superseding those currently on file. These regulations will become effective at 12:01 a.m. on January 1, 1983 and shall remain in effect unless otherwise amended or new regulations are issued by the Director.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Callaghan".

David C. Callaghan  
Director

DCC/dlc

Enclosures

cc: Charles W. Lewis  
Robert L. Miles



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;
- (X) 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

Chapter 20  
 Article 1  
 Series III  
 Section 1-7  
 Page No. 1-10

- ( ) 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;

10-20-82  
 Date Submitted

David C. Callaghan  
 Signature of Person Authorizing  
 this Filing

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
DEPARTMENT OF NATURAL RESOURCES

Chapter 20-1  
Series III

1983 FISHING REGULATIONS

- SECTION 1.0 -- OPENING AND CLOSING DATES
- SECTION 2.0 -- DAILY CREEL LIMITS AND POSSESSION LIMITS
- SECTION 3.0 -- SIZE LIMITS
- SECTION 4.0 -- CATCH AND RELEASE TROUT FISHING AREAS
- SECTION 5.0 -- FLY FISHING ONLY FISHING AREAS
- SECTION 6.0 -- GAME FISH DEFINED
- SECTION 7.0 -- OTHER METHODS OF FISHING

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

DEPARTMENT OF NATURAL RESOURCES

Chapter 20-1  
Series III

1983 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.
- 1.03. 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--(Bullfrog and Green Frog)--Open 9 p.m. DST, June 11. 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 in aggregate. 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.

2.02. Trout--(Rainbow, Brook, Brown, Golden Rainbow)--Daily creel limit is 6. Only 4 of the 6 may be taken from State managed impoundments stocked with trout (except Stephens, Stonecoal, and U.S. Army Corps of Engineer lakes), Edwards Run, and the following streams: Big Sandy Creek, Preston County; Buffalo Creek, Brooke County; Clear Fork, McDowell County; Clear Fork, Wyoming County; East Lynn (Tailwaters), Wayne County; Indian Creek, Summers County; North Fork Dam and South Fork Fishing Creek, Wetzel County; Paint Creek, Fayette County; Panther Creek, McDowell County; Paw-Paw Creek, Marion County; Spruce Laurel Fork, Boone County; Tomlinson Run, Hancock County; West Fork Twelvepole Creek, Wayne County; Wheeling Creek, Marshall County; and, Wickwire Creek, Taylor County. Possession limit is 12.

Daily creel limit on Catch and Release Areas--None.  
Possession limit--None. (See Sections 4.01. and 4.02.)  
Daily creel limit on Fly Fishing Only Streams--None.  
Possession limit--None. (See Sections 5.01., 5.02.,  
and 5.03.)

2.02.1 Only one line per angler is permitted during  
period January 1 through June 15 while  
fishing for trout in impoundments stocked with  
trout. Does not apply to Stephens, Stonecoal,  
and U.S. Army Corps of Engineer lakes.

- 2.03. Muskellunge, Tiger Musky, Northern Pike--Daily creel  
limit is 2. Possession limit is 4.
- 2.04. Walleye--Daily creel limit is 8. Possession limit is  
16.
- 2.05. Channel Catfish--Daily creel limit (applies only to state  
managed impoundments, except Stonecoal and U.S. Army  
Corps of Engineer lakes) is 4; possession limit is 16.
- 2.06. Other Species--No limit.
- 2.07. Frogs--(Bullfrog and Green Frog)--Nightly limit (Noon  
to Noon DST) is 10. Possession limit is 20.

### SECTION 3.0 SIZE LIMITS

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

- 3.01.1 Special Regulation--A 12-inch minimum size limit shall be in effect in Wheeling Creek, Marshall and Ohio counties; East Lynn and 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.

#### 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-inch 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.

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.
  - 5.03.1 Special Regulations--Fly Fishing Only (Fish-for-Fun) for Edwards Run, 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 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.
- 7.02. Bow Fishing--Year-round open season for carp. Other non-game fish 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 bow. All other State fishing regulations apply.
- 7.03. Snaring, Snagging, and Gigging--Non-game fish, turtles, eels may only be taken by gigging, snaring, and snagging

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 lawful. It is illegal to take game fish by gigging, snaring, or snagging.

7.03.1 Species Regulation--Anyone convicted of gigging game fish is subject to fishing license revocation.

7.03.2 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--Must be attached to the bank of a tree thereon, and bear a legible waterproof identitag and 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 managed impoundments, except Stonecoal, Hawks Nest, and U.S. Army Corps of Engineers lakes.

7.04.1 Dropline fishing is prohibited in Middle Island Creek, Elk River, Little Kanawha River, Hughes River and South Fork of Hughes River. (Droplines

are a line or lines with hook or hooks that hang from trees or other bank appurtenances into the water and are often called set lines, bank lines, limb lines, etc.)

- 7.05. Seining for Minnows - Minnow Traps--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

7.06.1 Spearfishing season is from July 1 to October 1.

7.06.2 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.

7.06.3 Spearguns may be discharged only beneath the surface of the water.

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

- 7.06.5 Skin divers shall not fish or dive in such a manner as to interfere with hook and line fishermen.
- 7.06.6 Skin divers shall not fish or dive in heavily traveled boat lanes, marked swimming areas, or areas set aside for waterskiing.
- 7.06.7 "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 shall be displayed at all times. These flags must be anchored, affixed to separate flotation devices, be within sight and not more than 100 feet apart. All power boats 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.
- 7.06.8 No fish taken by spearfishing shall be returned to the waters or left on the banks of any waters.

Title 47  
Legislative Rules

~~WEST VIRGINIA ADMINISTRATIVE REGULATIONS~~

DEPARTMENT OF NATURAL RESOURCES

~~Chapter 20-1~~  
Series III *20*

SUBJECT: 1983 FISHING REGULATIONS

SECTION 1.0 GENERAL

- 1.01. Scope -- These procedural rules are promulgated to regulate sport fishing in West Virginia.
- 1.02. Authority -- These regulations are issued under authority of the West Virginia Code, Chapter 20, Article 1, Section 17(7) and are exempt from provisions of Chapter 29A-1-3(c). *W.Va. Code § 20-1-17(7); 29A-1-3(c)*
- 1.03. Filing Date -- These regulations were promulgated on July 12, 1982, and filed on October 19, 1982, in the Secretary of State's Office and are hereby refiled on December 30, 1982.
- 1.04. Effective Date -- These regulations become effective on January 1, 1983 at 12:01 a.m. and shall expire at midnight on December 31, 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 2.0 OPENING AND CLOSING DATES

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

- 2.02. Trout -- (Rainbow, Brook, Brown, Golden Rainbow) -- Open year-round.
- 2.02.1. 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.
- 2.02.2. Shavers Fork -- A 5½-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 -- Open for Catch-and-Release trout fishing only -- January 1 through Friday before the Saturday prior to the Saturday nearest October 15.
- 2.03. Muskellunge, Tiger Musky, Northern Pike -- Open year-round.
- 2.04. Walleye -- Open year-round.
- 2.05. Channel Catfish -- Open year-round.
- 2.06. Other Species -- Open year-round.
- 2.07. Frogs -- (Bullfrog and Green Frog) -- Open 9 p.m. the Saturday nearest June 15 through midnight, July 31.
- 2.07.1. Frog season will open from May 15 through October 31, on Big Sandy and Tug Fork rivers bordering Kentucky.

### SECTION 3.0 DAILY CREEL LIMITS AND POSSESSION LIMITS

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

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OFFICE OF SECRETARY OF STATE

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

- 3.02. Trout -- (Rainbow, Brook, Brown, Golden Rainbow) -- Daily creel limit is 6. Only 4 of the 6 may be taken from State managed impoundments stocked with trout (except Stephens, Stonecoal, and U.S. Army Corps of Engineer lakes), Edwards Run, and the following streams: Big Sandy Creek, Preston County; Buffalo Creek, Brooke County; Clear Fork, McDowell County; Clear Fork, Wyoming County; East Lynn (Tailwaters), Wayne County; Indian Creek, Summers County; North Fork Dam and South Fork Fishing Creek, Wetzel County; Paint Creek, Fayette County; Panther Creek, McDowell County; Paw-Paw Creek, Marion County; Spruce Laurel Fork, Boone County; Tomlinson Run, Hancock County; West Fork Twelvepole Creek, Wayne County; Wheeling Creek, Marshall County; and, Wickwire Creek, Taylor County. Possession limit is 12. Daily creel limit on Catch-and-Release areas -- None. Possession limit -- None. (See Sections 5.01. and 5.02.) Daily creel limit on Fly Fishing Only Streams -- None. Possession limit -- None. (See Sections 6.01., 6.02., and 6.03.)
- 3.02.1. Only one line per angler is permitted during period January 1 through June 15 while fishing for trout in impoundments stocked with trout.
- 3.02.2. Daily creel limit is 5 and possession limit is 5 in Bloomington Lake, North Branch of the Potomac, and Potomac River between the states of Maryland and West Virginia.
- 3.03. Muskellunge, Tiger Musky, Northern Pike -- Daily creel limit is 2. Possession limit is 4.

3.03.1. Daily creel limit is 2 and possession limit is 2 for northern pike in Bloomington Lake, North Branch of the Potomac, and Potomac River between the states of Maryland and West Virginia.

3.04. Walleye -- Daily creel limit is 8. Possession limit is 16.

3.04.1. Daily creel limit is 5 and possession limit is 5 for walleye in Bloomington Lake, North Branch of the Potomac, and Potomac River between the states of Maryland and West Virginia.

3.05. Channel Catfish -- Daily creel limit (applies only to state managed impoundments, except Stonecoal and U.S. Army Corps of Engineer lakes) is 4; possession limit is 16.

3.06. Other Species -- No limit.

3.06.1. Daily creel limit is 5 and possession limit is 5 for chain pickerel in Bloomington Lake, North Branch of the Potomac, and Potomac River between the states of Maryland and West Virginia.

3.07. Frogs -- (Bullfrog and Green Frog) -- Nightly limit (Noon to Noon DST) is 10. Possession limit is 20.

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

#### SECTION 4.0 SIZE LIMITS

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

4.01.1. Special Regulation -- A 12-inch minimum size limit shall be in effect in Wheeling Creek, Marshall and Ohio counties; Beech Fork Lake, Wayne County; Conaway Run Lake, Tyler County; and Bloomington Lake, North Branch of the Potomac, and Potomac River between the states of Maryland and West Virginia.

- 4.01.2. Special Regulation -- A 10 to 14-inch slot limit in effect at East Lynn Lake.
- 4.02. Trout -- (Rainbow, Brook, Brown, Golden Rainbow) -- No size limit.
- 4.03. Tiger Musky, Northern Pike -- Minimum size limit is 28 inches in total length.
  - 4.03.1. A 20-inch minimum size limit for northern pike in effect for Bloomington Lake, North Branch of the Potomac, and Potomac River between the states of Maryland and West Virginia.
- 4.04. Muskellunge -- Minimum size limit is 30 inches total length.
- 4.05. Walleye -- No size limit.
  - 4.05.1. A 14-inch minimum size limit for walleye in effect for Bloomington Lake, North Branch of the Potomac, and Potomac River between the states of Maryland and West Virginia.
- 4.06. Channel Catfish -- No size limit.
- 4.07. Other Species -- No size limit.
  - 4.07.1. A 14-inch minimum size limit for chain pickerel in effect for Bloomington Lake, North Branch of the Potomac, and Potomac River between the states of Maryland and West Virginia.
- 4.08. Frogs -- (Bullfrog and Green Frog) -- No size limit.

SECTION 5.0 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.

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SECRETARY OF STATE

- 5.02. Shavers Fork -- A 5½-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.
- 5.03. 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.
- 5.03.1. 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 may be used or possessed on a "catch-and-release" trout stream; 3) Multiple hook lures must have barbless hooks; 4) Single hook lures may have barbed hooks; 5) To release a deeply hooked or gill-hooked fish, the leader should be cut; 6) All fish caught must be returned to the water at once.

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SECTION 6.0 FLY FISHING ONLY FISHING AREAS

- 6.01. Edwards Run -- In marked area within the boundaries of the Edwards Run Public Hunting and Fishing Area, Hampshire County (pond excluded).

- 6.02. Second Creek, a marked area on the Monroe, Greenbrier County line, extending in a continuous section 3/4 mile downstream from Rodgers Mill.
- 6.03. 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.
- 6.03.1. Special Regulations -- Fly Fishing Only (Fish-for-Fun) for Edwards Run, 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.

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

#### SECTION 7.0 GAME FISH DEFINED

- 7.01. 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 8.0 OTHER METHODS OF FISHING

8.01. Dipping -- Dipping for non-game fish 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.

8.02. Bow Fishing -- Year-round open season for carp. Other non-game fish 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 E Bow or Gun Hunting License to fish from any State waters by bow. All other State fishing regulations apply.

8.03. Snaring, Snagging, and Gigging -- Non-game fish, turtles, eels may only be taken by gigging, snaring, and snagging 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 lawful. It is illegal to take game fish by gigging, snaring, or snagging.

8.03.1. Species Regulation -- Anyone convicted of gigging game fish is subject to fishing license revocation.

8.03.2. No person shall have in their possession about any public waters of this State any fishing paraphernalia without proper license.

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8.04. Trotlines and Drop Lines -- Must be attached to the bank of a tree thereon, and bear a legible waterproof identification tag and 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 managed impoundments, except Stonecoal, Hawks Nest, and U.S. Army Corps of Engineer lakes.

8.04.1. Dropline fishing is prohibited in Middle Island Creek, Elk River, Little Kanawha River, Hughes River and South Fork of Hughes River. (Droplines are a line or lines with hook or hooks that hang from trees or other bank appurtenances into the water and are often called set lines, bank lines, limb lines, etc.)

8.05. Seining for Minnows - Minnow Traps -- 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.

8.06. Underwater Spearfishing and Diving

8.06.1. Spearfishing season is from July 1 to October 1.

8.06.2. 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

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River, from Bluestone Dam downstream to the lower bridge at Hinton; b) Elk River, from Sutton Dam downstream to Route 19 bridge at Sutton.

- 8.06.3. Spearguns may be discharged only beneath the surface of the water.
- 8.06.4. It shall be unlawful to use an explosive head or shaft.
- 8.06.5. Skin divers shall not fish or dive in such a manner as to interfere with hook and line fishermen.
- 8.06.6. Skin divers shall not fish or dive in heavily traveled boat lanes, marked swimming areas, or areas set aside for waterskiing.
- 8.06.7. "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 shall be displayed at all times. These flags must be anchored, affixed to separate flotation devices, be within sight and not more than 100 feet apart. All power boats 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.

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8.06.8. No fish taken by spearfishing shall be returned to the waters or left on the banks of any waters.

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