

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III**

ADMINISTRATIVE LAW DIVISION

Form #3

Do Not Mark In This Box

FILED

JUL 27 11 12 AM '01

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: BOC, DNR - Wildlife Resources Section TITLE NUMBER: 58

CITE AUTHORITY: 20-1-7(30), 20-7-22 and 20-7-33

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 26

TITLE OF RULE BEING AMENDED: Special Boating Rules

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



Authorized Signature

\$6.00

SUMMARY OF THE RULE

This rule provides interpretations and guidance concerning special regulations that govern the operation of motorboats and other vessels on particular waters of the State. This rule is being filed pursuant to the legislative direction of SB 549. SB 549 states that "The director shall immediately promulgate an emergency rule pursuant to the provisions of section fifteen, article three, chapter twenty-nine-a of this code providing for the use of electric motors on the waters of Miletree Lake in Roane County."

CIRCUMSTANCES REQUIRING THE PROPOSED RULE

Series 26, Special Boating Rules is being amended pursuant to legislative direction of 20-7-23(d) to permit the use of boats with electric motors on Miletree Lake in Roane County.

FISCAL NOTE FOR PROPOSED RULE

Rule Title: Series 26, Special Boating Rules

Type of Rule X **Legislative** _____ **Interpretive** _____ **Procedural**

Agency Division of Natural Resources, Wildlife Resources Section

Address Capitol Complex

Building 3, Room 842

Charleston, WV 25305

1. Effect of Proposed Rule

	ANNUAL			FISCAL YEAR	
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES	0	0	0	0	0
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER	0	0	0	0	0

2. Explanation of above estimates: None

3. Objectives of these rules: Provides interpretations and guidance concerning special regulations that govern the operation of motorboats and other vessels on particular waters of the state.

4. Explanation of overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government: None

Rule Title: Series 26, Special Boating Rules

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens: None

C. Economic Impact on Citizens/Public at Large: None.

Date: _____

**Signature of Agency or
Authorized Representative:**



ED HAMRICK, DIRECTOR

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: July 19, 2001

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* BOC, DNR - Wildlife Resources Section

1900 Kanawha Blvd., E.

Charleston, WV 25305

LEGISLATIVE RULE TITLE: Special Boating Rules

1. Authorizing statute(s) citation 20-1-7(30), 20-7-22 and 20-7-23

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
June 15, 2001

b. What other notice, including advertising, did you give of the hearing?
No public hearing was held. There was a 30 day comment period which was also advertised in a Statewide News Release distributed June 22, 2001.

c. Date of Public Hearing(s) *or* Public Comment Period ended:
July 12, 2001

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.
Attached 2 comments No comments received _____

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

N/A

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Gordon Robertson, Deputy Chief

DNR Wildlife Resources Section

Capitol Complex, Bldg. 3, Room 842

Charleston, WV 25305

- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

- 3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

FILED

JUL 27 11 12 AM '81

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**TITLE 58
LEGISLATIVE RULES
DIVISION OF NATURAL RESOURCES**

**SERIES 26
SPECIAL BOATING RULES**

§58-26-1. General.

1.1. **Scope and Purpose.** -- This rule provides interpretations and guidance concerning special regulations that govern the operation of motorboats and other vessels on particular waters of this State.

1.2. **Authority.** -- West Virginia Code §20-1-7(30), §20-7-22, and §20-7-23.

1.3. **Filing Date.** --

1.4. **Effective Date.** --

§58-26-2. Definitions.

2.1. "Director" means the director of the West Virginia Division of Natural Resources.

2.2. "Government-Owned Reservoir" means any natural or artificial impoundment, lake, pond, or reservoir that is partially or wholly within the territorial limits of West Virginia and is owned or administered by the federal government or by the State or any political subdivision of the state.

2.3. "Motorboat" means any vessel propelled by an electrical, steam, gasoline, diesel, or other fuel-propelled or drive motor, whether or not such motor is the principal source of propulsion, but shall not include a vessel which has a valid marine document issued by the Bureau of Customs of the United States government or any federal agency successor thereto.

2.4. "Special Rules" means rules to be observed in the operation or navigation of motorboats and other vessels upon, over, or through the waters of a particular government-owned reservoir which the director considers necessary for the public health or safety of persons or property on or in those waters, or for the preservation of useful aquatic life. Special rules supplement the provisions of West Virginia Code §20-7-1 et.seq., and the general rules promulgated thereunder, as they relate to motorboats and other vessels by further limiting, restricting, or prohibiting the operation or navigation of the vessels on a particular government-owned reservoir.

§58-26-3. Special Rules for Government-owned Lakes.

3.1. **Airport Pond (Raleigh County):** No boating allowed.

3.2. **Anawalt (McDowell County):** No boating allowed.

- 3.3. Anderson (Kanawha County): No boating allowed.
- 3.4. Barboursville (Cabell County): No boating allowed.
- 3.5. Bear Rocks (Ohio County): Electric motors only.
- 3.6. Beech Fork (Wayne County): Motorboats are limited to a maximum of ten (10) horsepower and must observe no-wake zones marked by buoys or posted signs. Boats having motors greater than ten (10) horsepower must have the propeller removed or have the motor withdrawn to the maximum trailorable limit while operating on this lake. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.
- 3.7. Berwind (McDowell County): Electric motors only.
- 3.8. Big Ditch (Webster County): Electric motors only.
- 3.9. Big Run (Marion County): Electric motors only.
- 3.10. Bluestone (Summers County): Motorboats must observe no-wake zones and speed limit zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.
- 3.11. Boley (Fayette County): No motorboats allowed.
- 3.12. Brandywine (Pendleton County): Electric motors only.
- 3.13. Brushy Fork (Site 19) (Pendleton County): Electric motors only.
- 3.14. Buffalo Fork (Pocahontas County): Electric motors only.
- 3.15. Burches Run (Marshall County): Electric motors only.
- 3.16. Burnsville (Braxton County): Motorboats must observe no-wake zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.
- 3.17. Cacapon (Morgan County): No motorboats allowed.
- 3.18. Camp Run (Pendleton County): Electric motors only.
- 3.19. Castleman Run (Brooke and Ohio Counties): Electric motors only.
- 3.20. Cedar Creek (Gilmer County): No boating allowed.
- 3.21. Charles Fork (Roane County): Electric motors only.

3.22. Cheat (Monongalia County): Motorboats must observe no-wake zones marked by buoys or posted signs which are approved by the Director. Motorboats and other vessels may not enter restricted areas marked by such approved buoys or posted signs.

3.23. Chief Cornstalk (Mason County): Electric motors only.

3.24. Chief Logan (Logan County): No boating allowed.

3.25. Conaway Run (Tyler County): Electric motors only.

3.26. Coopers Rock (Monongalia County): Electric motors only.

3.27. Curtisville (Marion County): Electric motors only.

3.28. Rockhouse (Logan County): Electric motors only.

3.29. Doe Run Sub-Impoundment (Taylor County): Electric motors only.

3.30. Dog Run (Harrison County): Electric motors only.

3.31. Dunkard Fork (Marshall County): Electric motors only.

3.32. East Lynn (Wayne County): Motorboats must observe no-wake zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.

3.33. Edwards Run (Hampshire County): No boating allowed.

3.34. Elk Fork (Jackson County): Motorboats are limited to a maximum of ten (10) horsepower and must observe no-wake zones marked by buoys or posted signs. Boats having motors greater than ten (10) horsepower must have the propeller removed or have the motor withdrawn to the maximum trailorable limit while operating on this lake.

~~3.345.~~ Elk Two Mile (Site 12) (Kanawha County): No boating allowed.

~~3.356.~~ Elk Two Mile (Site 13) (Kanawha County): No boating allowed.

~~3.37.~~ Elk Two Mile (Site 14) (Kanawha County): No boating allowed.

~~3.368.~~ Fitzpatrick (Raleigh County): No boating allowed.

~~3.379.~~ Flat Run (Marion County): Electric motors only.

~~3.38.~~ ~~Fork Creek (Boone County): Electric motors only.~~

~~3.3940.~~ Fort Ashby (Mineral County): No boating allowed.

- 3.401. French Creek (Upshur County): No boating allowed.
- 3.412. Frozencamp - Left Fork (Jackson County): Electric motors only.
- 3.423. Frozencamp - Right Fork (Jackson County): Electric motors only.
- 3.434. Handley (Pocahontas County): Electric motors only.
- 3.445. Hawks Nest (Fayette County): No restrictions.
- 3.456. Horse Creek (Wyoming County): Electric motors only.
- 3.467. Huey Run (Marion County): Electric motors only.
- 3.478. Hurricane (Putnam County): No boating allowed.
- 3.489. James P. Bailey (Mercer County): No boating allowed.
- 3.4950. Jennings Randolph (Mineral County): Motorboats must observe no-wake zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.
- 3.501. Jimmy Lewis (Mercer County): Electric motors only.
- 3.512. Jonathan Larck (Putnam County): No boating allowed.
- 3.523. Kanawha State Forest (Kanawha County): No boating allowed.
- 3.534. Kee (Mercer County): Electric motors only.
- 3.545. Kimsey Run (Hardy County): Electric motors only.
- 3.556. Krodel (Mason County): Electric motors only.
- 3.567. Larenim (Mineral County): No motorboats allowed.
- 3.578. Laurel (Mingo County): Electric motors only.
- 3.5859. Lick Creek (Wayne County): No boating allowed.
- 3.5960. Little Beaver (Raleigh County): Rental boats only.
- 3.61. Logan County Airport (Logan County): No boating allowed.
- 3.602. Lumberport (Harrison County): Electric motors only.
- 3.613. McClintic Ponds (Mason County): Electric motors only.

- 3.624. Middle Wheeling Creek ~~Dam~~ (Ohio County): Electric motors only.
- 3.635. Miletree (Roane County): Electric motors only.
- 3.646. Mill Creek (Barbour County): Electric motors only.
- ~~3.65. Elk Fork (Jackson County): Motorboats are limited to a maximum of ten (10) horsepower and must observe no-wake zones marked by buoys or posted signs. Boats having motors greater than ten (10) horsepower must have the propeller removed or have the motor withdrawn to the maximum trailorable limit while operating on this lake.~~
- 3.667. Moncove (Monroe County): Motorboats are limited to a maximum of five (5) horsepower.
- 3.678. Mount Storm (Grant County): Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.
- 3.6869. Mountwood (Wood County): Electric motors only.
- 3.6970. New Creek (Dam Number 14) (Grant County): No boating allowed.
- 3.71. North Bend (Ritchie County): Motorboats are limited to a maximum of ten (10) horsepower and must observe no-wake zones marked by buoys or posted signs. Boats having motors greater than ten (10) horsepower must have the propeller removed or have the motor withdrawn to the maximum trailorable limit while operating on this lake.
- 3.702. North Bend Pond (Ritchie County): No boating allowed.
- 3.713. O'Brien (~~Site 13~~) (Jackson County): Motorboats are limited to a maximum of ten (10) horsepower and must observe no-wake zones marked by buoys or posted signs. Boats having motors greater than ten (10) horsepower must have the propeller removed or have the motor withdrawn to the maximum trailorable limit while operating on this lake.
- 3.724. Pennsboro (Ritchie County): Electric motors only.
- 3.735. Pipestem (Summers County): Rental boats only.
- 3.746. Plum Orchard (Fayette County): Motorboats must observe no-wake zones marked by buoys or posted signs. Only motorboats powered by electric motors are allowed within zones marked by barrels.
- 3.77. Poorhouse Pond (Berkeley County): Rental boats only.
- 3.758. R. D. Bailey (Mingo and Wyoming counties): Motorboats must observe no-wake zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.

- 3.7679. Ridenour (Kanawha County): No boating allowed.
- 3.7780. Rock Cliff (Hardy County): Electric motors only.
- 3.81. Rockhouse (Logan County): Electric motors only.
- 3.7882. Rollins (Jackson County): Electric motors only.
- 3.7983. Saltlick #9 (Braxton County): Electric motors only.
- 3.804. Seneca (Pocahontas County): Electric motors only.
- 3.815. Sherwood (Greenbrier County): Electric motors only.
- 3.826. Silcott Fork (Roane County): No boating allowed.
- 3.837. Sleepy Creek (Berkeley County): Electric motors only.
- 3.848. South Mill Creek (Grant County): Electric motors only.
- 3.8589. Spruce Knob (Randolph County): Electric motors only.
- 3.8690. Stephens (Raleigh County): Motorboats must observe no-wake zones marked by buoys or posted signs.
- 3.8791. Stonecoal (Lewis and Upshur counties): Motorboats are limited to a maximum of ten (10) horsepower and must observe no-wake zones marked by buoys or posted signs. No waterskiing allowed. Boats having motors greater than ten (10) horsepower must have the propeller removed or have the motor withdrawn to the maximum trailorable limit while operating on this lake.
- 3.8892. Stonewall Jackson (Lewis County): Motorboats must observe no-wake zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.
- 3.8993. Summersville (Nicholas County): Motorboats must observe no-wake zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.
- 3.904. Summit (Greenbrier County): Electric motors only.
- 3.915. Sutton (Braxton County): Motorboats must observe no-wake zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.
- 3.926. Teter Creek (Barbour County): Electric motors only.
- 3.937. Thomas Park (Tucker County): Electric motors only.

3.948. Tomlinson Run (Hancock County): Electric motors only.

3.9599. Tracy (Ritchie County): Electric motors only.

3.96100. Trout (Hardy County): No motorboats allowed.

3.97101. Tuckahoe (Greenbrier County): Electric motors only.

3.98102. Turkey Run (Jackson County): Electric motors only.

3.99103. Turkey Run (Marshall County): Electric motors only.

3.1004. Tygart (Taylor County): Motorboats must observe no-wake zones marked by buoys or posted signs. Motorboats and other vessels may not enter restricted areas marked by buoys or posted signs.

3.1015. Tygart River Backwaters (Town of Elkins) (Randolph County): Electric motors only.

3.106. Upper Cove Run (Hardy County): Electric motors only.

3.10277. Upper Mud River (Lincoln County): Motorboats are limited to a maximum of ten (10) horsepower and must observe no-wake zones marked by buoys or posted signs. Boats having motors greater than ten (10) horsepower must have the propeller removed or have the motor withdrawn to the maximum trailorable limit while operating on this lake.

3.108. Underwood (Cabell County): No boating allowed.

3.10399. Wallback (Clay and Roane counties): Electric motors only.

3.10410. Warden (Hardy County): Electric motors only.

3.10511. Watoga (Pocahontas County): Electric motors only.

3.10612. Westover Park (Monongalia County): No boating allowed.

3.10713. Whetstone (Marion County): Electric motors only.

3.10814. Wolf Run (Marshall County): Electric motors only.

3.10915. Woodrum (Jackson County): Motorboats are limited to a maximum of ten (10) horsepower and must observe no-wake zones marked by buoys or posted signs. Boats having motors greater than ten (10) horsepower must have the propeller removed or have the motor withdrawn to the maximum trailorable limit while operating on this lake.

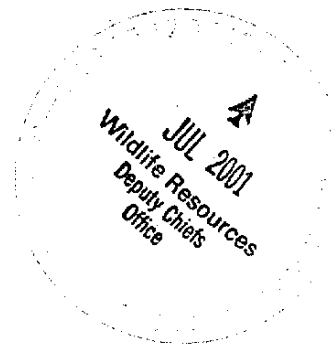
~~§58-26-4.~~ **Special Regulations for Class A Motorboats:**

4.1. Motorboats of Class A must be equipped with the lights required for motorboats of Class 1 in accordance with the Division of Natural Resources Boating Rules, 58 C.S.R. 25-4.1.5 whenever operated on one of the following bodies of water:

- 4.1.1. Beech Fork Lake;
- 4.1.2. Bluestone Lake;
- 4.1.3. Burnsville Lake;
- 4.1.4. Cheat Lake;
- 4.1.5. East Lynn Lake;
- 4.1.6. Jennings Randolph Lake;
- 4.1.7. Kanawha River;
- 4.1.8. Monongahela River;
- 4.1.9. Ohio River;
- 4.1.10. R. D. Bailey Lake;
- 4.1.11. Stonecoal Lake;
- 4.1.12. Stonewall Jackson Lake;
- 4.1.13. Summersville Lake;
- 4.1.14. Sutton Lake; and
- 4.1.15. Tygart Lake.

July 11, 2001

Gordon C. Robertson, Deputy Chief
Wildlife Resources Section
Building 3, Room 842, Capital Complex
Charleston, WV 25305



Dear Sir:

I am writing this letter in response to the proposed legislative changes filed by the Wildlife Section of the WV Division of Natural Resources for North Bend Lake.

When the lake committee was formed, I was asked to be on it to provide the fisherman's viewpoint. I was never asked, so I will express my viewpoint now for the over 10-horsepower boat owners that are interested in the North Bend Lake. (I thought this lake was called The Hughes River Watershed.)

This proposed legislation is directed at those boat owners with motors over 10-horsepower and will cause these people to stay away from this lake and Ritchie County. This will have an adverse affect on the economy that this lake was to provide.

This legislation would not be fair to large boat owners. Six miles of lake and the only way to move on it is by electric motor, if you have one. People with pontoon boats and runabouts could not use their boat on the lake to fish or swim.

I am proposing that the lake should have an "Idle only, no wake zone" placed on it, with a stiff fine for anyone violating this law. This is fair to every boat owner and will not restrict anyone from using the lake.

Sincerely,

A handwritten signature in cursive script that reads "Mitchell R. Been".

Mitchell R. Been
Rt. 2, Box 98-A
Pennsboro, WV 26415



DIVISION OF NATURAL RESOURCES
Wildlife Resources Section
Capitol Complex, Building 3, Room 812
1900 Kanawha Boulevard, East
Charleston WV 25305-0664
Telephone (304) 558-2771
Fax (304) 558-3147
TDD 1-800-354-6087

Bob Wise
Governor

Ed Hamrick
Director

July 13, 2001

Mitchell R. Been
Rt. 2, Box 98-A
Pennsboro, WV 26415

Dear Mr. Been:

Thank you for taking the time to provide a written comment of opposition on the proposed Division of Natural Resources rule limiting motorboats to a maximum of 10 horsepower and having to observe designated "no-wake" zones on the new North Bend Lake in Ritchie County.

This proposed rule was overwhelmingly supported by conservation clubs across the state as well as by individuals who attended the 16 public meetings concerning rule changes. Based on the strong support for this proposal, it is the Division's intention to file the rule with the Legislative Rule Making Committee as submitted. Should the rule pass as submitted, the motor and wake restrictions will become effective in April of 2002.

Your interest in West Virginia's fish and wildlife is appreciated.

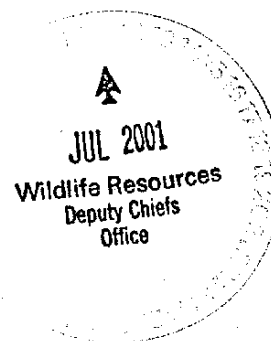
Sincerely,

A handwritten signature in cursive script that reads "Gordon C. Robertson".

Gordon C. Robertson
Deputy
Wildlife Resources

cc: Curtis Taylor

HARRISVILLE WV 26362
JULY 5 2001



MR. ROBERTSON

THREE CHEERS FOR THE WEST VIRGINIA DEPT. OF NATURAL RESOURCES. I AM WRITING THIS LETTER IN SUPPORT OF THE PROPOSED REGULATIONS FOR THE SOON TO BE LAKE HERE IN RITCHIE COUNTY.

THIS LAKE WILL BE APPROXIMATELY EIGHT OR NINE MILES LONG AND VERY NARROW FOR MOST OF THIS LENGTH. I HAVE FISHED ON STONECOAL LAKE FOR THE LAST TWENTY YEARS OR MORE. AND AS YOU KNOW IT IS ABOUT 250 ACRES BIGGER THEN THIS LAKE. THE 10 H.P. MOTOR LIMIT HAS WORKED OUT VERY WELL ON STONECOAL. THE PEOPLE THAT FISH ON STONEWALL JACKSON AND BURNSVILLE LAKES THAT WANT TO FISH STONECOAL LAKE HAVE PURCHASED 10 H.P. MOTORS AND THEY PUT THEM ON THERE LARGE BOATS. I KNOW THAT A LOT OF THE PEOPLE THAT OWN THE BASS AND SKI BOATS WOULD OBEY NO WAKE ZONE REGULATIONS BUT I ALSO KNOW THAT A LOT OF THEM WOULD NOT OBEY THE REGULATIONS. AND THESE ARE THE ONES THAT I WORRY ABOUT.

THERE HAVE BEEN A LOT OF TIMES THAT I HAVE BEEN FISHING AND SOMEBODY IN ONE OF THOSE BIG 150 OR 200 H.P. BOATS HAS COME CLOSE TO CAPSIZING MY BOAT. THIS IS VERY FRIGHTENING WHEN YOU HAVE SMALL CHILDREN IN THE BOAT.

IN CLOSEING I WILL SAY THAT ANYTHING BIGGER THEN 10 H.P. ON A LAKE THAT WILL BE AS SMALL AS THIS ONE WOULD BE VERY DANGEROUS.

THANK YOU



DIVISION OF NATURAL RESOURCES
Wildlife Resources Section
Capitol Complex, Building 3, Room 812
1900 Kanawha Boulevard, East
Charleston WV 25305-0664
Telephone (304) 558-2771
Fax (304) 558-3147
TDD 1-800-354-6087

Bob Wise
Governor

Ed Hamrick
Director

July 13, 2001

J.L. Childress
Rt. 2, Box 17
Harrisville, WV 26362

Dear Mr. Childress:

Thank you for taking the time to provide a written comment of support for the proposed Division of Natural Resources rule limiting motorboats to a maximum of 10 horsepower and having to observe designated "no-wake" zones on the new North Bend Lake in Ritchie County.

This proposed rule was overwhelmingly supported by conservation clubs across the state as well as by individuals who attended the 16 public meetings concerning rule changes. Based on the strong support for this proposal, it is the Division's intention to file the rule with the Legislative Rule Making Committee as submitted. Should the rule pass as submitted, the motor and wake restrictions will become effective in April of 2002.

Your interest in West Virginia's fish and wildlife is appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Gordon C. Robertson".

Gordon C. Robertson
Deputy
Wildlife Resources

cc: Curtis Taylor