

**WEST VIRGINIA  
SECRETARY OF STATE  
JOE MANCHIN, III  
ADMINISTRATIVE LAW DIVISION**

Do Not Mark In This Box

**FILED**

2001 MAY 11 A 9 31

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Division of Natural Resources TITLE NUMBER: 58

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 34

TITLE OF RULE BEING PROPOSED: Rules governing special projects and grants  
for West Virginia State Parks, State Forests, and State Wildlife Management Areas  
under the Division of Natural Resources.

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 2691

SECTION 64-10-2(a), PASSED ON April 12, 2001

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE  
FOLLOWING DATE: May 11, 2001



Authorized Signature

2001 MAY 11 A 9:31

TITLE 58  
LEGISLATIVE RULE  
DIVISION OF NATURAL RESOURCES

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

SERIES 34  
SPECIAL PROJECTS AND GRANTS FOR WEST VIRGINIA STATE PARKS,  
STATE FORESTS, AND STATE WILDLIFE MANAGEMENT AREAS  
UNDER THE DIVISION OF NATURAL RESOURCES

**§58-34-1. General.**

1.1. Scope. -- This legislative rule governs special projects and grants for West Virginia state parks, state forests, and recreation areas in state wildlife management areas under the jurisdiction and management of the Division of Natural Resources. This rule shall not be construed to include the state forests or state wildlife management areas, or any areas or facilities in the state forests or state wildlife management areas, under the jurisdiction and management of the Department of Agriculture or the Wildlife Resources section of the Division of Natural Resources, respectively. This rule is necessary to provide for public health, safety and welfare; to protect state property; and to assure state recreational area guests of a safe, beneficial and enjoyable experience.

1.2. Authority. -- W. Va. Code §20-5-2.

1.3. Filing Date. --

1.4. Effective Date -- April 12, 2001

**§58-34-2. General Rules Governing Special Projects and Grants for State Parks, State Forests, and Recreational Areas in State Wildlife Management Areas under the Division of Natural Resources.**

2.1 State park and forest or other public land area foundations may apply for to the Chief of Parks and Recreation and be awarded 50% matching grants of up to \$7,500 per project as part of an "adopt a state park or forest program" for maintenance and improvement projects approved by the Chief of Parks and Recreation. To qualify, a chartered foundation shall formally adopt the area for which it was created and for which it is working. A foundation may adopt a park, forest, wildlife management or recreation area with the approval of the Director of the Division of Natural Resources.

2.2 With prior authorization of the Director of the Division of Natural Resources any individual or group may have free use of a picnic shelter for one day during each calendar year or have free use of a cabin for one week during each calendar year in exchange for donation of materials and labor for the construction of the cabin or picnic shelter. The design and construction of the cabin or picnic shelter must be in accordance with Division standards and specifications. A group is defined as a family, business, corporation or non-profit organization whose by-laws are registered with the Secretary of State. The group shall designate a contact person who is responsible for securing the picnic shelter or cabin reservation each year. The non-transferrable fee waiver expires when the amount of the donation equals the loss of revenue from the fee waiver or until the individual dies or the group ceases to exist. The Director shall determine the donation value by the cost of materials and labor donated and shall divide that value by the standard rental fee charged at the time construction is completed to determine the expiration date of the fee waiver with the Director being the sole judge of the value of donated labor. Construction of cabins is restricted to state parks or state forests which already have cabins. Individuals or groups who are eligible for this fee waiver may make reservations for the use of a picnic shelter or cabin one week in advance of established reservation policies.