



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

eFILED

8/16/2016 12:55:26 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 5 -- NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE OR
A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY **Natural Resources**

RULE TYPE **Legislative Exempt** **AMENDMENT TO EXISTING RULE** **Yes** TITLE-SERIES **58-55**

RULE NAME **Migratory Bird Hunting Rule**

CITE AUTHORITY **W. Va. Code §§20-1-17(b)(7) and 29A-1-3(c).**

RULE IS LEGISLATIVE EXEMPT

Yes

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W. Va. Code §§20-1-17(b)(7) and 29A-1-3(c).

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS

Thursday, September 01, 2016

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

**Patricia J White -- By my signature, I certify that I am the person authorized to file legislative rules, in
accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 58-55



Rule Id: 10273



Document: 28811

TITLE 58
LEGISLATIVE EXEMPT RULE
DEPARTMENT OF COMMERCE
DIVISION OF NATURAL RESOURCES

SERIES 55
MIGRATORY BIRD HUNTING RULE

§58-55-1. General.

- 1.1. Scope. -- These regulations establish the open seasons and the bag, size, age, weight, and sex limits with respect to the hunting of migratory game birds in West Virginia.
- 1.2. Authority. -- W. Va. Code §§20-1-17(b)(7) and 29A-1-3(c).
- 1.3. Filing Date. -- August 16, 2016
- 1.3. Effective Date. -- September 1, 2016.

§58-55-2. Definitions.

2.1. All terms shall have the meaning prescribed under the Code of State Rules, Title 58, Series 56, "Special Migratory Bird Hunting Regulations" (58CSR56).

§58-55-3. General Migratory Bird Hunting Rules.

- 3.1. Closed Season. -- No person may take migratory game birds during the closed season.
- 3.2. Shooting and Falconry Hours. -- No person may take migratory game birds except during the hours open for shooting and falconry as prescribed in these regulations.
- 3.3. Daily Bag Limit. -- No person may take more than the daily bag limit of any migratory game bird.
- 3.4. Field Possession Limit. -- No person may possess more than the daily bag limit of any migratory game bird while in the field or while returning from the field to one's car, hunting camp, home, or other place.
- 3.5. Custody of Birds of Another. -- No person may receive or have in his/her custody migratory game birds belonging to another person unless such birds are properly tagged.
- 3.6. Possession of Live Birds. -- No person may at any time, or by any means, possess or transport live migratory game birds taken under 50 C.F.R. Part 20 or under these regulations. Wounded birds reduced to possession must be immediately killed and included in the daily bag limit.
- 3.7. Seasons in General. -- All seasons are subject to change under the provisions of W. Va. Code §20-1-7(7). Opening and closing dates are inclusive and time periods are prevailing time unless otherwise noted in these regulations. Sunday hunting is legal under the provisions of W. Va. Code §20-2-5.

§58-55-4. Open Shooting and Falconry Seasons.

- 4.1. Mourning Dove Season.

4.1.a. The first segment of this season opens on September 1, 2016 and closes on October 15, 2016.

4.1.b. The second segment of this season opens on October 31, 2016 and closes on November 19, 2016.

4.1.c. The third segment of this season opens on December 19, 2016 and closes on January 12, 2017.

4.2. Rail Season (Sora and Virginia Rails).

4.2.a. This season opens on September 1, 2016 and closes on November 9, 2016.

4.2.b. There is no open season for king rails or clapper rails.

4.3. Common Snipe Season.

4.3.a. This season opens on September 1, 2016 and closes on December 16, 2016.

4.4. Woodcock Season.

4.4.a. The first segment of this season opens on October 15, 2016 and closes on November 19, 2016.

4.4.b. The second segment of this season opens on November 28, 2016 and closes on December 6, 2016.

§58-55-5. Shooting and Falconry Hours.

5.1. Mourning Doves.

5.1.a. Shooting and falconry hours in the first segment of the mourning dove season are from thirty (30) minutes before sunrise until sunset except on opening day when shooting and falconry hours are from noon until sunset.

5.1.b. Shooting and falconry hours in all other segments of the mourning dove season are from thirty (30) minutes before sunrise until sunset.

5.2. Sora and Virginia Rails.

5.2.a. Shooting and falconry hours are from thirty (30) minutes before sunrise until sunset.

5.3. Common Snipe.

5.3.a. Shooting and falconry hours are from thirty (30) minutes before sunrise until sunset.

5.4. Woodcock.

5.4.a. Shooting and falconry hours are from thirty (30) minutes before sunrise until sunset.

§58-55-6. Shooting Bag and Possession Limits.

6.1. Mourning Doves.

6.1.a. The bag limit is fifteen (15) doves per day.

6.1.b. The possession limit is forty-five (45) doves.

6.2. Sora and Virginia Rails.

6.2.a. The bag limit is twenty-five (25) rails in aggregate per day.

6.2.b. The possession limit is twenty-five (25) rails in aggregate.

6.3. Common Snipe.

6.3.a. The bag limit is eight (8) snipe per day.

6.3.b. The possession limit is sixteen (16) snipe.

6.4. Woodcock.

6.4.a. The bag limit is three (3) woodcock per day.

6.4.b. The possession limit is nine (9) woodcock.

§58-55-7. Falconry Bag and Possession Limits.

7.1. The bag limit for falconry hunting is three (3) migratory game birds in the aggregate per day.

7.2. The possession limit for falconry hunting is nine (9) migratory game birds in the aggregate.