



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

6/6/2018 9:35 AM

Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Natural Resources TITLE-SERIES: 58-75
RULE TYPE: Procedural Amendment to Existing Rule: No Repeal of existing rule: No
RULE NAME: STATE PARK CONTROLLED DEER HUNTS

CITE STATUTORY AUTHORITY: §20-1-7

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 07/05/2018 5:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Wendy L. Greene

ADDRESS: 324 4th Avenue

Room 343

EMAIL: dnrcomments@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Series 75 is a new Procedural Rule relating to controlled deer hunts on State Parks.

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

This rule establishes the procedures and fees associated with the permit application process for controlled deer hunts on state parks in West Virginia

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

The creation of a nonrefundable application fee for State Park controlled deer hunts will have a positive impacts for revenues for the Division of Natural Resources.

B. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

The creation of a nonrefundable application fee for State Park controlled deer hunts will have a minimal impact on the residents of the state.

C. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2018 Increase/Decrease (use "-")	2019 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	10000	0	10000
Personal Services			
Current Expenses			
Repairs and Alterations	10000	0	10000
Assets			
Other			
2. Estimated Total Revenues	57000	0	57000

D. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

A nonrefundable application fee (\$15.00 per transaction) will be required of hunters who are applying for the State Park controlled deer hunts. During 2018 there are currently 19 deer hunts to be held on 10 State Parks within the State. Based on an estimate of 200 applications @ \$15 per application and 19 controlled hunts to be held, it is anticipated that revenues would be around \$57,000. Changes which will need to be made to the electronic licensing system are anticipated to be around \$10,000 (estimate).

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Wendy L Greene -- 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 58
PROCEDURAL RULE
DEPARTMENT OF COMMERCE
DIVISION OF NATURAL RESOURCES

SERIES 75
STATE PARK CONTROLLED DEER HUNTS

§58-75-1. General.

1.1. Scope. -- This rule establishes the procedures and fees associated with the permit application process for controlled deer hunts on state parks.

1.2. Authority. -- W. Va. Code §20-1-7.

1.3. Filing Date. --

1.4. Effective Date. --

§58-75-2. Definitions.

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

2.2. "Division" means the West Virginia Division of Natural Resources.

2.3. All other terms shall have the meaning prescribed in W. Va. Code §20-1-2.

§58-75-3. Application Procedures for Limited Permits for State Park Controlled Deer Hunts.

3.1. State park controlled deer hunts will be held on select state parks and on the dates as designated and published annually by the Director.

3.2. The Director will authorize that the application process be handled through the Division's electronic licensing system or through a paper application system developed and implemented by the Division's Parks and Recreation Section. The appropriate application process will be published in the Division's West Virginia Hunting and Trapping Regulations Summary.

3.2.a. The state park controlled deer hunt application period shall run for a time period as designated by the Director.

3.2.b. Applicants are not required to purchase a base hunting license prior to applying for a state park controlled deer hunt.

3.2.c. Permits will be awarded by a random draw of the applicants.

3.2.d. Applicants may apply for multiple state park controlled deer hunts. Each application must be accompanied by the appropriate non-refundable application fee.

3.2.e. A state park controlled deer hunt permit is not transferable to another person.

3.3. Fee Schedule

3.3.a. A nonrefundable application fee of fifteen (15) dollars will be required for each application.