



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL
RULE**

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

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

August 9, 2018

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. -- July 9, 2018.

1.4. Effective Date. -- August 9, 2018.

§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. A person shall comply with permit procedures and deadlines established by the Director to apply for limited special state park deer season permits.

3.3. The Director will authorize 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 application process will be published in the Division's West Virginia Hunting and Trapping Regulations Summary.

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

3.3.2. Applicants are not required to purchase a base hunting license prior to submitting an application for a state park controlled deer hunt.

3.3.3. An application is required for each state park controlled deer hunt. Applicants may apply for multiple state park controlled deer hunts. Each application must be accompanied by the non-refundable application fee.

3.3.4. Permits will be awarded by a random draw of the applications.

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

3.3.6. Upon being awarded a permit, applicants must provide to the Division:

3.3.6.a. Written or verbal statement of intent to participate in each designated state park controlled hunt for which they hold permits.

3.3.6.b. Proof of a valid base hunting license or be exempt from having to purchase a base hunting license.

3.3.7. Applicants awarded permits who fail to meet the requirements of subsection 3.3.6. of this rule forfeit the awarded permit and shall not be eligible to participate in the designated state park controlled hunt for which the awarded permit is forfeited.

3.4. Fee Schedule

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