

Rules Review for Regulatory Review - West Virginia Division of Natural Resources

CSR Title and Series	Rule Type	Name	Authority WV Code	First Promulgated	Most Recent Modification	Should Rule be Continued?	Determination Justification
58CSR11	Legislative	Hunting, Fishing and Other Outfitters and Guides	§§20-4-7(30) and 20-2-23	4/1/1988	5/7/2018	Yes	This rule is necessary to effectively regulate commercial outfitter and guides services and to assure safe operations.
58CSR12	Legislative	Commercial Whitewater Outfitters	§20-2-23a	8/7/1994	In progress	Yes	This rule is necessary to effectively provide for the regulation of commercial whitewater rafting, outfitting and related activities to assure safe operations and protect the environment.
58CSR13	Legislative	Contracted Extraordinary Law Enforcement Services	§20-7-1(e)	6/27/1998	6/27/1998	Yes	This rule is necessary to regulate the conditions under which Natural Resources Police Officers may perform extraordinary law enforcement services and establishes the procedures to be followed in their employment.
58CSR14	Legislative	Rules Governing Small Arms Hunting	§20-1-7(30)	4/3/2002	4/3/2002	Yes	This rule is necessary to provide regulation for hunting with small arms (pistol or revolver).
58CSR15	Procedural	Permits to kill deer or other wildlife causing damage to cultivated crops, fruit trees, or commercial nurseries	§20-2-15	5/20/1992	2/2/2017	Yes	This rule is necessary to establish procedures for obtaining permits to kill deer or other wildlife causing damage to cultivated crops, fruit trees, commercial nurseries and homeowner's trees, shrubs and vegetable gardens.
58CSR16	Legislative	Transporting and Selling Wildlife Pelts	§§20-2-11 and 20-2-12	5/1/1990	5/1/1990	Yes	This rule is necessary to regulate shipment and sale of the raw furs, pelts and skins of wildlife.
58CSR17	Procedural	Fur Dealer Transactions	§20-1-7(30)	9/10/1996	9/10/1996	Yes	This rule is necessary to establish procedures for application and renewal of fur dealer's licenses and agent's permits issued by the Division.
58CSR18	Procedural	Bear Damage Regulations	§20-2-22a	9/10/1996	2/2/2017	Yes	This rule is necessary to establish procedures for presenting and deciding claims of bear damage, issuance of bear damage permits and organization of bear damage hunts.
58CSR19	Procedural	Gun Repair Shop Exemptions	§§20-2-58, 61-7-12 and 29A-3-1	9/10/1996	9/10/1996	Yes, with modifications	This rule is necessary to establish procedures for obtaining a gun repair shop exemption to the law prohibiting the discharge of a firearm within 500 feet of any dwelling house or within 400 feet of any schoolhouse or church. Modifications needed to be consistent with WV Code.
58CSR20	Interpretive	Gun Repair Shop Exemptions	§§20-2-58, 61-7-12 and 29A-3-1	9/10/1996	9/10/1996	Yes	This rule is necessary to provide guidance concerning safety requirements to be followed by gun repair shops under a grant of exemption.
58CSR23	Legislative	Revocation of Hunting and Fishing Licenses	§20-1-7(30)	1/1/1982	5/22/2017	Yes	This rule is necessary to effectively govern the revocation and restoration of hunting and fishing licenses and the assignment of points for violations of hunting or fishing laws and rules.

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58CSR25	Legislative	Boating Rule	§20-1-7(30) §20-7-13 §20-7-16 §20-7-22 §20-7-22a §20-7-23	5/10/1992	7/1/2009	Yes	This rule is necessary to establish standards to govern the operation of motorboats and other vessels on the waters of this State.
58CSR26	Legislative	Special Boating Rule	§20-1-7(30) §20-7-22 §20-7-23	1/1/1963	5/1/2015	Yes	This rule is necessary to provide interpretation and guidance concerning special rules that govern the operation of motorboats and other vessels on particular waters of this State.
58CSR27	Legislative	Special Motorboating Rule	§20-7-2 §20-7-23	5/10/1992	6/1/2014	Yes	This rule is necessary to effectively regulate certain waters of this State by establishing no wake zones where needed.
58CR28	Legislative	Special Regulations Concerning Boating	§§20-1-7(30), 20-7-13, 20-7-22	10/1/1993	10/1/1993	Yes	This rule is necessary to establish regulations on specified waters of this State.
58CSR29	Legislative	Special Boating Rule for Jennings Randolph Lake	§20-1-7(30) §20-7-13 §20-7-22 §20-7-23 §29-11-1	6/20/1998	5/20/1998	Yes	This rule is necessary to establish joint rules with the State Maryland and the State of West Virginia on Jennings Randolph Lake which is situated on the border of both states.
58CSR31	Legislative	Public Use of West Virginia State Parks, State Forests, and State Wildlife Management Areas under the Division of Natural Resources	§20-1-7	8/17/1977	6/1/2006	Yes	This rule is necessary to provide regulation for the public use of West Virginia's State Parks, state forests and recreation areas in state wildlife management areas by providing for the public health, safety and welfare, to protect state property and to assure state recreational are guests a safe, beneficial and enjoyable experience.
58CSR32	Legislative	Public Use of Campgrounds in West Virginia State Parks, State Forests, and State Wildlife Management Area under the Division of Natural Resources	§20-5-2	7/1/1996	7/1/1996	Yes	This rule is necessary to provide regulation for the public use of campgrounds in West Virginia State Parks, State Forests, and recreation areas in state wildlife management areas by providing for public health, safety and welfare, to protect state property and to assure state recreational are guests a safe, beneficial and enjoyable experience.
58CSR33	Legislative	Public Use of Swimming Areas in West Virginia State Parks, State Forests, and State Wildlife Management areas under the Division of Natural Resources	§20-5-2	7/1/1996	7/1/1996	Yes	This rule is necessary to provide regulation for the public use of swimming areas in West Virginia State Parks, State Forests, and recreation areas in state wildlife management areas by providing for public health, safety and welfare, to protect state property and to assure state recreational are guests a safe, beneficial and enjoyable experience.

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58CSR34	Legislative	Special Projects and Grants for West Virginia State Parks, State Forests, and State Wildlife Management Areas under the Division of Natural Resources	\$20-5-2	5/11/2001	5/11/2001	Yes	This rule is necessary to provide regulation for special projects and grants for West Virginia State Parks, state forests and recreation areas in state wildlife management areas.
58CSR35	Legislative	Rules for Conditions Upon Which Oil and Gas Operators May Access State Forests	§§20-1-7(30), 20-5-22	5/1/2008	5/1/2008	Yes	This rule is necessary to provide regulation relating to access to all state forests by operators seeking to drill for and produce oil and natural gas.
58CSR36	Active Emergency	Cabwayingo State Forest Trail System Two Year Pilot Project Permitting ATVs and ORV's	§§20-3-3a(e), 20-7-9	8/7/2018	8/7/2018	Yes	This rule is necessary to provide regulation of the two-year pilot project permitting all-terrain or off-highway recreational vehicles on designated roads and trails in Cabwayingo State Forest (pilot project codified during 2018 Regular Session)
58CSR41	Legislative	Wildlife Damage Control Agents	§§20-2-7, 20-2-50a	8/8/1996	5/11/2018	Yes	This rule is necessary to provide regulations governing the licensing, training and operations of wildlife damage control agents in West Virginia.
58CSR42	Legislative	Wildlife Scientific Collecting Permit	§§20-1-7(30), 20-2-50	5/10/1996	3/27/2008	Yes	This rule is necessary to establish procedures and requirements for the application and issuance of scientific collecting permits.
58CSR43	Legislative	West Virginia Wildlife Management Areas	§§20-1-7(30), 20-3-2	5/9/1995	5/9/1995	Yes	This rule is necessary to govern public use of West Virginia Wildlife Management Areas
58CSR44	Legislative	Cooperation with Federal Government in Management of Federal Lands Within the State	§§20-1-7, 20-1-18(c)	10/3/1983	10/3/1983	Yes	This rule is necessary to provide for cooperative management with the federal government of federal lands within the state.
58CSR45	Legislative Exempt	Hunting and Trapping Rules	§§20-1-17(b)(7), 20-2-5g(a), 29A-1-3(c)	9/28/1993	9/1/2018	Yes	This rule is necessary to effectively regulate the open seasons and the bag, size, age, weight and sex limits with respect to hunting and trapping of wildlife in West Virginia.
58CSR46	Legislative	Defining the Terms Used in All Hunting and Trapping	\$20-1-7(30)	7/1/1993	5/11/2018	Yes	This rule is necessary to effectively define terms used in all rules concerning the regulation of hunting and trapping within the State.
58CSR47	Legislative	Prohibitions When Hunting and Trapping	\$20-1-7(30)	7/1/1993	4/20/2016	Yes	This rule is necessary to effectively regulate the taking of wildlife by establishing prohibitions relating to such activities.
58CSR49	Legislative	General Hunting	\$20-1-7(30)	7/1/1993	5/7/2018	Yes	This rule is necessary to provide general hunting rules to provide for the safety of the hunter and proper management of wildlife within the boundaries of the state.
58CSR50	Legislative	Deering Hunting Rule	\$20-1-7(30)	7/1/1993	4/20/2016	Yes	This rule is necessary to provide regulation relating to the pursuing and taking of deer within the boundaries of the state.
58CSR51	Legislative	Wild Turkey Regulations	\$20-1-7(30)	7/1/1993	7/1/1993	Yes	This rule is necessary to provide regulation for the management of the wild turkey within the boundaries of the state.

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58CSR52	Legislative	Wild Boar Hunting Rule	§20-1-7(30)	5/9/1995	4/20/2016	Yes	This rule is necessary to provide regulation relating to the pursuing and taking of wild boar within the boundaries of the state.
58CSR53	Legislative	General Trapping	§20-1-7(30)	7/1/1993	6/6/2013	Yes	This rule is necessary to effectively provide regulation of trapping wildlife or furbearing animals within the boundaries of the state.
58CSR54	Legislative	Dog Training Regulations	§20-1-7(30)	7/1/1993	7/1/1993	Yes	This rule is necessary to establish standards for residents of the State of Ohio when training dogs within the boundaries of this state.
58CSR55	Legislative Exempt	Migratory Bird Hunting Rules	§§20-1-17(b)(7) and 29A-1-3(c)	9/1/1995	1/5/2016	Yes	This rule is necessary to effectively regulate the open seasons and the bag, size, age, weight, and sex limits with respect to the hunting of migratory game birds in West Virginia.
58CSR56	Legislative	Special Migratory Bird Hunting Rules	§20-1-7(30)	7/1/1993	4/16/96	Yes	This rule is necessary to effectively regulate the hunting of migratory game birds in West Virginia.
58CSR57	Legislative Exempt	Waterfowl Hunting Rules	§29A-1-3(c) §20-1-17(b)(7)	9/1/1995	9/1/2018	Yes	This rule is necessary to effectively regulate the open seasons and bag and sex limits for the hunting of waterfowl in West Virginia.
58CSR58	Legislative	Special Waterfowl Hunting Rules	§20-1-7(30)	5/10/1996	5/22/2017	Yes	This rule is necessary to effectively regulate the proper management of waterfowl with respect to the hunting of waterfowl in West Virginia.
58CSR59	Legislative Exempt	Special Waterfowl and Migratory Bird Hunting Areas	§20-1-7(30)	9/1/1996	9/1/2018	Yes	This rule is necessary to effectively regulate the provisions for hunting waterfowl in specified areas of this State.
58CSR60	Legislative Exempt	Fishing Regulations	§§20-1-7(30), 20-1-17(7)	1/1/1996	8/15/2018	Yes, with modifications.	This rule is necessary to effectively regulate the open seasons and the size and creel limits with respect to the taking of fish and other aquatic species in West Virginia. Modifications will be made for 2019 based on recommendations of the Natural Resources Commission.
58CSR61	Legislative	Special Fishing Rule	§§20-1-7(30), 20-1-17(7)	5/9/1995	6/6/2013	Yes	This rule is necessary to effectively regulate special fishing areas and prohibitions with respect to the taking of fish and other aquatic species in West Virginia.
58CSR62	Legislative	Catching and Selling Bait Fish	§20-1-7(30)	6/1/1989	6/1/1989	Yes	This rule is necessary to effectively regulate the catching and selling of bait fish under a license issued by the Division.
58CSR63	Legislative	Commercial Sale of Wildlife	§§20-2-11, 20-1-7, 20-2-13	7/1/1993	5/22/2017	Yes	This rule is necessary to effectively regulate the sale or transfer of wildlife raised, imported, or captured under licenses issued by the Division.
58CSR64	Legislative	Miscellaneous Permits and Licenses	§§20-1-7(20), 20-1-7(30)	9/1/1995	5/7/2018	Yes	This rule is necessary to effectively regulate the application for and renewal of certain permits and licenses issued by the Division.
58CSR65	Legislative	Falconry	§20-1-7(30)	5/7/1987	6/6/2013	Yes	This rule is necessary to effectively regulate the taking, possession, training, and use of raptors for the purpose of hunting in West Virginia.

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58CSR66	Legislative	Fertility Control of Free Roaming Wildlife	\$20-2-5d	5/7/1987	5/7/1987	Yes	This rule is necessary to effectively regulate the use of fertility control or contraceptive compounds on free roaming or noncaptive wildlife within the boundaries of the state.
58CSR67	Legislative	Lifetime Hunting, Trapping and Fishing Licenses	§§20-26-7, 20-2-42	6/8/2000	6/8/2009	Yes	This rule is necessary to effectively establish the fees and method for determining fees for lifetime hunting and fishing licenses for West Virginia residents.
58CSR68	Legislative	Issuance of Hunting, Trapping and Fishing Licenses by telephone and other electronic methods	\$20-2-33	5/30/2000	7/1/2002	Yes	This rule is necessary to effectively establish issuing fees and the method of selling West Virginia Hunting, Trapping and Fishing licenses by telephone and other electronic methods.
58CSR69	Legislative	Wildlife Disease Management	\$20-1-7(30)	4/9/2007	4/9/2007	Yes	This rule is necessary to effectively regulate the management, prevention, suppression, control and/or eradication of communicable diseases in wildlife.
58CSR70	Legislative	Public Use of Campgrounds and Recreation Areas in West Virginia State Wildlife Management Areas Under the Division of Natural Resources	\$20-1-7	4/9/2007	4/9/2007	Yes	This rule is necessary to effectively regulate the public use of campgrounds and recreation areas in West Virginia state wildlife management areas by providing for public health, safety and welfare, to protect state property and to assure state recreational area guests a safe, beneficial and enjoyable experience.
58CSR71	Legislative	Hunting, Trapping and Fishing License and Stamp Fees	\$20-2-42	6/8/2009	6/8/2009	Yes	This rule is necessary to establish fees of certain hunting, fishing and trapping licenses and stamps.
58CSR72	Legislative	Electronic Registration of Wildlife	\$20-2-4	6/1/2014	6/1/2014	Yes	This rule is necessary to establish the procedures for the electronic registration and checking of wildlife.
58CSR73	Legislative Exempt	Reptile and Amphibian Regulations	\$20-1-17(7)	9/1/2013	9/1/2018	Yes	This rule is necessary to effectively regulate possession limits on reptiles and amphibians in West Virginia.
58CSR74	Legislative	Elk Restoration and Management Rule	§§20-1-7(30), 20-2-6h	4/20/2018	4/20/2018	Yes	This rule is necessary to effectively regulate the Division's elk management program.
58CSR75	Procedural	State Park Controlled Deer Hunt	\$20-1-7	8/9/2018	8/9/2018	Yes, with possible modifications.	This rule is necessary to establish procedures and fees associated with the permit application process for controlled deer hunts on state parks. Modifications may be necessary following the conclusion and review of the results of the 2018 state park controlled hunts.