

**NATURAL RESOURCES COMMISSION**  
**Quarterly Meeting**  
**August 4, 2019**  
**MINUTES**

The quarterly meeting of the Natural Resources Commission was held on Sunday, August 4, 2019 at Tygart Lake State Park, Grafton, West Virginia. The following individuals attended:

**NATURAL RESOURCES COMMISSIONERS**

Jeffrey S. Bowers via conference call  
David M. Milne  
Kenneth R. Wilson  
Byron K. Chambers  
Peter L. Cuffaro via conference call  
Thomas O. Dotson  
Gregory K. Burnette

**LEGISLATORS**

Delegate Rick Atkinson, 11<sup>th</sup> District  
Delegate Amy Summers, 49<sup>th</sup> District  
Senator Bill Hamilton, 11<sup>th</sup> District  
Senator Robert Beach, 13<sup>th</sup> District

**MEDIA**

John McCoy, Gazette Mail, Charleston, WV  
Chris Lawrence, Metro News, Charleston, WV

**DIVISION OF NATURAL RESOURCES**

Stephen S. McDaniel, Director (Presiding), South Charleston, WV  
Lysti Looney, Director's Office (Recording Secretary), South Charleston, WV  
Emily Fleming, Director's Office, South Charleston, WV

Paul Johansen, Wildlife Resources, South Charleston, WV  
Jerry Jenkins, Law Enforcement, South Charleston, WV  
Sam England, Parks and Recreation, South Charleston, WV  
Scott Kline, Administration, South Charleston, WV  
Zack Brown, Wildlife Resources, South Charleston, WV  
Chris Ryan, Wildlife Resources, WV University, Morgantown, WV  
Scott Warner, Wildlife Resources, South Charleston, WV  
Gary Foster, Wildlife Resources, Elkins/South Charleston, WV  
Colin Carpenter, Wildlife Resources, Beckley, WV  
Mark Scott, Wildlife Resources, South Charleston, WV  
Keith Krantz, Wildlife Resources, Elkins, WV  
David James, Law Enforcement, French Creek, WV  
David Trader, Law Enforcement, South Charleston, WV  
David Wellman, Wildlife Resources, Farmington, WV  
Gary Johnson, Law Enforcement, Farmington, WV  
Brad McDougal, Law Enforcement, Farmington, WV  
Dustin Smith, Wildlife Resources, Farmington, WV  
Nathaniel Owens, Wildlife Resources, Elkins, WV  
Randy Tucker, Wildlife Resources, Elkins, WV  
Jim Crum, Wildlife Resources, Elkins, WV  
Mike Peters, Wildlife Resources, Farmington, WV  
Craig McDougal, Wildlife Resources, Farmington, WV  
Brett Shelly, Wildlife Resources, Elkins, WV  
Kieran O'Malley, Wildlife Resources, Elkins, WV  
P. J. Harmon, Wildlife Resources, Elkins, WV  
Alex Silvis, Wildlife Resources, Elkins, WV  
Steve Rauch, Wildlife Resources, Farmington, WV  
David Thorne, Wildlife Resources, Elkins, WV

### **ORGANIZATIONS AND OTHER MEMBERS OF THE PUBLIC**

Mike Tinkey, Quality Deer Management Association, Shinnston, WV  
Brian Peitz, Quality Deer Management Association, Shinnston, WV  
Jeremy Preston, Mountaineer Quality Deer Management Association, Fairmont, WV  
Justin Booth, Better Bucks Management/Quality Deer Management Association, Morgantown, WV  
Jasi Butler, Better Bucks Management/Quality Deer Management Association, Buckhannon, WV

Christina Lemastis, Better Bucks Management/Quality Deer Management Association, Buckhannon, WV  
Shon Butler, Better Bucks Management/Quality Deer Management Association, Buckhannon, WV  
Jarrod Huggins, Terra Alta, WV  
Bryan Moore, Fairview, WV  
Daniel Suplita, Rivesville, WV  
Erik Lowe, Rivesville, WV  
Kenny Sanders, Mountaineer Quality Deer Management Association, Shinnston, WV  
Randy Bland, Quality Deer Management Association, Fairview, WV  
Shelly Bland, Fairview, WV  
Sara Persinger, Fayetteville, WV  
Tom Jenkins, Grafton, WV  
Justin Hettick, West Virginia Bowhunters Association, Morgantown, WV  
Jeanette Atkinson, Ripley, WV  
Jake Mohan, Ivydale, WV  
Amy Hettick, Morgantown, WV  
Jeff Holbert, Scott Depot, WV  
Frank Hughes, Elizabeth, WV  
Kip Adams, Quality Deer Management Association, Knoxville, PA  
Corey Boothe, Quinwood, WV  
Aaron Garrison, Grafton, WV  
Dylan Garrison, Grafton, WV  
Austin Singleton, Shinnston, WV  
Rich Sinlleton, Shinnston, WV  
Nick Bumgardner, Morgantown, WV  
Morgan Crusenberry, Lebanon, VA  
George Coleman, Fayetteville, WV  
Jeromy Rore, Richwood, WV  
John Field, Morgantown, WV  
Scott Wilson, Clarksburg, WV  
Tyler Petticort, Kingwood, WV  
Kim Thorne, Buckhannon, WV  
Camron Stover, Parkersburg, WV  
Kenneth Meade, Bridgeport, WV  
Rod Summers, Flemington, WV  
Rickie Dunis, French Creek, WV  
Desi Claifrocc, Fairmont, WV

Jerod Harman, Buckhannon, WV  
Bryan Casto, St. Marys, WV  
Daniel Casto, St. Marys, WV  
Carla Spray, Roanoke, WV  
Josh Albright, Bridgeport, WV

### **CALL TO ORDER**

Director Stephen McDaniel called the meeting to order at approximately 1:03 p.m. Director McDaniel introduced himself and welcomed everyone to the meeting. Director McDaniel asked the Commissioners to introduce themselves and state the county they represent. Director McDaniel introduced Delegate Rick Atkinson, Delegate Amy Summers, and Senator Bill Hamilton. Director McDaniel stated that we had a tragic accident at Blennerhassett Island Historical State Park and asked for a moment of silence.

### **RATIFICATION OF MINUTES**

Commissioner Dotson made a **MOTION** to approve the minutes of the May 4, 2019 meeting of the Natural Resources Commission as submitted. Commissioner Chambers seconded the motion. The motion passed unanimously.

### **APPROVE 2020-2021 HUNTING and TRAPPING REGULATIONS**

Chris Ryan reviewed the proposed to extend the September Youth Squirrel Season to two days by adding the following Sunday to the existing season framework. Commissioner Wilson made a **MOTION** to approve as submitted. Commissioner Dotson seconded the motion. Motion passed unanimously. (Attachment A)

Chris Ryan reviewed the proposed to extend coyote night season with use of artificial light to the first day of January through the last day of August (currently ends last day of July). Commissioner Wilson made a **MOTION** to approve as submitted. Commissioner Milne seconded the motion. Motion passed unanimously. (Attachment A)

Chris Ryan reviewed the proposed that all other hunting and trapping regulations for the 2020-2021 seasons be open as shown on the attached table. Commissioner Milne made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. Motion passed unanimously. (Attachment A)

## **REVIEW PROPOSED 2020 FISHING REGULATIONS**

Mark Scott reviewed the proposed for the 2020 Fishing Regulations.

1. Proposed to extend the 20"-30" slot limit with a 2-fish daily creel for Walleye, only one of which can be over 30", on 1) Elk River upstream of Sutton Dam, including Sutton Lake and all tributaries and 2) Gauley River and all tributaries (upstream of Summersville Lake) beginning at the mouth of Persinger Creek. Commissioner Dotson made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. Motion passed unanimously. (Attachment B)
2. Proposed that the Walleye regulations (20"-30" slot, 2-fish limit) be extended into the tributaries of the following rivers: Bluestone, Coal, Elk, Greenbrier, Gauley, Kanawha (upstream of Winfield Lock and Dam), and new rivers. Commission Wilson made a **MOTION** to approve as submitted. Commissioner Dotson seconded the motion. Motion passed unanimously. (Attachment B)
3. Proposed to reduce the daily creel limit for all Esocid species (Muskellunge, Northern Pike, Tiger Musky, and all Pickerel) to a 1-fish daily creel limit with a possession limit of 2 fish on all state waters. Commissioner Wilson made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. Motion passed unanimously. (Attachment B)
4. Proposed to establish the minimum size limit for Tiger Musky at 30" minimum size. Commissioner Dotson made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. Motion passed unanimously. (Attachment B)
5. Proposed to add Bluestone, Beech Fork and R.D. Bailey Lakes to the regulation of a 4-fish daily creel limit with a 15" minimum size limit for all Moronidae species including Striped Bass, White Bass, and Hybrid Striped Bass and move East Lynn Lake to the statewide regulation. Commissioner Wilson made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. Motion passed unanimously. (Attachment B)
6. Proposed to establish a 6-fish daily creel in aggregated for Walleye, Sauger, and Saugeye on the Ohio River. Only 2 of the 6 fish can be Walleye and must be a minimum of 18" in length. Commissioner Dotson made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. The motion passes unanimously. (Attachment B)
7. Proposed to the possession limit on the following streams to be zero (0) for all fish species other than game fish. Furthermore, no fish may be used as bait on the following waters: (Attachment B)
  - a. Confluence of the East and West Forks of the Greenbrier River upstream including all tributaries. (Attachment B)

- b. Gauley River upstream of the Route 55/20 Bridge (Curtin, WV) which included the Cherry, Williams, Cranberry, and Upper Gauley Rivers and all tributaries of each river. (Attachment B)
  - c. Camp Creek and Manns Creek including all tributaries of each stream. Note: Glade Creek in Babcock State Park is included in the Manns Creek drainage. Commissioner Burnette made a **MOTION** to pass as submitted. Commission Dotson seconded the motion. Motion passes unanimously. (Attachment B)
8. Proposes to make illegal the possession of any darter species within the State of West Virginia. Commissioner Wilson made a **MOTION** to pass as submitted. Commissioner Chambers seconded the motion. Motion passed unanimously. (Attachment B)
  9. All other fishing regulations for 2020 would be the same as those in 2019. Commissioner Burnette made a **MOTION** to pass as submitted. Commissioner Dotson seconded the motion. Motion passed unanimously. (Attachment B)

### **GUEST SPEAKER**

Kip Adams, Director of Conservation, Quality Deer Management Association (QDMA) presented a PowerPoint presentation on the QDMA 2019 Whitetail Report. In this report are the 2017 results, as the 2018 and 2019 season were still going on when this report was published. In 1989, 62% of bucks shot were 1 ½ years old and in 2017 nationwide that number has declined to 35%. West Virginia's yearling harvest was 30% for 2017. Many factors are affecting this change. Twenty-four states have put some type of antler restrictions into place in an attempt to protect younger bucks and to achieve a balanced age structure. Hunters east of the Rocky Mountains averaged shooting more and older bucks than in the past. In the last ten years, West Virginia's harvest data shows a small percentage harvested three bucks. The State of Tennessee lowered buck harvest to two and have had positive results and no negative impacts; furthermore, there are no talks of going back to a three-buck limit. Primary objective of reducing buck bag limit is to shift focus of harvest to the antlerless segment of the population. Commissioner Burnette questioned Mr. Adams on his thoughts on the survey DNR received from Southwick & Associated. Mr. Adams stated he did not know the results, but that Southwick is a very reputable company.

### **PUBLIC COMMENTS**

Jarrod Huggins stated two buck limit will lead to older bucks and hunters will be able to harvest better bucks. The number of hunters is on a decline and if no changes are made

there will be more of a decline. Raise each license fee \$1.00 and this will take care of the loss of revenue.

Shawn Butler stated he understands the concerns of the Commissioners on lowering the buck limit. Hunters will help DNR with the loss of revenue and we will contact Legislators - it will only take \$2.00-\$3.00 dollar increase in license to take care of the revenue loss. Lowering the buck limit is the right thing to do. Asking the commissioners to vote yes on lower the buck limit to two.

Jeremy Preston stated Mr. Adams spoke on a lot of his concern and the opportunity to hunt older age bucks and thinks two buck limit will help. He feels too many bucks are harvested and stated that Tennessee shows that. He wants to see older age bucks and stated that they are going to get the limit lowered.

Kenny Sanders supports lowering buck limit to two. He is a cattle farmer and must travel to other states to get a good buck and feels lowering the limit to two will have good results. Challenges DNR to make the change.

Randy Bland feels it is the responsibility of the Commissioners - they should find a way to make lowering the buck limit to two happen. Hopes the commissioner will make the right decision.

Melinda Chambers stated she is a retired educator and writer and she has been attending Natural Resources Commission meetings for years. She states she has eaten venison all her adult life. She is concerned with Chronic Wasting Disease (CWD) in the eastern panhandle. States that the first two days of the season you can check deer in and have the deer checked for CWD. She is questioning why DNR does not offer the checking for CWD longer in the season, why just the first two day. Not all deer with CWD show signs of having the disease. Asking that a joint task force with other agencies, Department of Agriculture, WVU Cooperative Extension Service and DNR to work together to get quicker results of CWD. Feels you need to educate the public on the problems with feeding and providing salt licks in the same location that spread CWD.

Mike Persinger stated we have talked several years on lowering the buck limit. Feels if the limit is lowered from three to two the whole state can harvest big bucks like the four southern counites.

Jake McLaughlin says he works on the pipeline in Ohio and Pennsylvania people are laughing at West Virginia for having a three buck limit says it is not that big of a deal, a

very small percentage kill three bucks.

Jeff Holbert says he hunts in Mingo County and supports lowering buck limit to two bucks. Says there are ways to work with the financial loss, a dollar or two-dollar increase will make up for the loss. We want quality not quantity.

Frank Hughes suggested a proposal of buying sportsmens licenses - one either sex tag and two bucks per year. Second either-sex tag can be purchased anytime during season. Says the four southern counties should want the same for all the state.

Director McDaniel welcomed Senator Robert Beach.

Corey Booth contacted several Commissioners in 2014 and was told to start a petition and contact the Governor and Legislators. He is tired of this issue and it is time to do something. Willing to pay more in licenses fees. Feels we should be killing more does and that more bucks are being harvested than does. Feels we need a better sex ratio and we would have better bucks.

John Field shares his concerns on reducing the buck limit, but his concern is recovery of animal from a bad shot - feels we need tracking dogs to locate game. Allowing tracking dogs to recover wounded game, tracking dogs follow blood and the scent. West Virginia is one of thirteen state not using dogs for tracking for the purposes of recovering wounded deer.

Cameron Stover states there is a lot of support on lowering the buck limit to two which would improve the age structure in deer herd. He is hoping to lower the buck limit statewide. Today we can make a change which will make a difference - are we doing what is best for hunters in the room?

Carla Spay asked why we are allowing bear hunters to train dogs in counties that do not have dog season. They are running and training dogs all year around. During the spring she has calves and there were separated from their mothers due to bear dog training season. This time of the year is important for young life - bear dogs come through and disturb the young, calves, fawns, grouse and all the young wildlife. Feels we should limit training season to start after June 15<sup>th</sup>.

## **DIRECTOR'S COMMENTS**

CWD was found in two additional counties. Deer management is currently working on the issues. DNR is working with the Legislature regarding bear training dogs and retrieving with dogs which both require legislation to make any changes. A bill was introduced last year, and I feel it will be introduced again this year.

Zack Brown stated DNR contracted with outside source Southwick & Associates to conduct the survey on lowering the buck limit from 3 to 2. There were approximately 22,447 emails sent to resident, non-resident and landowners with a response rate of 7.2%. Three questions were provided on the survey:

1. Recommend reducing the annual maximum antlered deer bag limit from 3 to 2 antlered deer:  
Resident Licensed Hunter 56%, Landowners 55% Nonresidents 52%.
2. Recommended keeping the current annual maximum antlered deer bag limit of 3 deer:  
Resident Licensed Hunters 40%, Landowners 41%, and Nonresidents 40%.
3. Prefer not to answer/have no opinion about changing the annual maximum antlered deer bag limit:  
Resident Licensed Hunters 4%, Landowners 5%, and Nonresident 9%.

DNR supplied Southwick with information from our LES licenses section.

Scott Kline spoke on the financial impact lowering the buck limit to two would have on DNR. He stated without an increase in license-fee over a three-year period a loss of more than \$828,432 would occur. In May 2019, a telephone survey of all WV license agents was conducted by the WVDNR license staff. The following questions were asked of each agent:

1. In your opinion, would lowering the buck limit from 3 to 2 have a positive or negative effect on license sales or have no effect on sales? 8% positive, 34% negative and 58% no effect.
2. In your opinion, if hunters could only harvest 1 antlered deer on a Sportsman's license, would they be more likely or less likely to purchase an additional buck stamp or would it have no effect on sales? 18% no effect, 57% more likely, and 25% less likely.
3. If the annual buck limit is reduced from 3 to 2, but the total annual bag limit remains the same, would hunters be more likely or less likely to purchase the required stamp to harvest a doe during antlerless season or would there be no effect on sales? 60% more likely, 12% less likely, 28% no effect.

Data on the age composition and on the percentage of buck harvest with greater than or equal to 9 points 3.5% to 4% increase from 2015 through 2018 was provided by the state of Tennessee.

Commissioner Dotson asked that 2015-2018 is it correct there was a 3% increase in bucks in Tennessee? Mr. Kline stated that is correct. Commissioner Burnette stated point and age of buck makes a difference. Commissioner Chambers asked \$828,432 loss in a three-year period and \$568,000 loss in the first year? Director McDaniel stated the loss will be \$1.5 million over three years. Director McDaniel stated the last license increase was in 2005, DNR is not proposing any license increase.

Paul Johansen stated the issue with lowering the buck limit has been going on with many states for years. This is a very divided issue. In 1995, DNR reduced the limit from five to two which was reversed the following year. In 2005, the limit was reduced to a three buck limit. Hunters are split down the middle on the issue to reduce the buck limit from 3 to 2 bucks and feels the proposed change is misleading. Current QDMA guidelines states that no more than 50% of harvest is yearling bucks which West Virginia is well within those guidelines. Deer hunting license and stamps support programs and we have to make sure that proposed changes are biologically and financially sound. We estimate that a two buck limit will result in an annual loss of \$220,000 in license revenue. My recommendation of annual 3 buck annual bag limit remains as is. Director McDaniel asked about harvest age. Paul Johansen asked Dr. Jim Crum to answer the Director's question. Dr. Jim Crum is DNR's Deer and Wildlife Disease Project Leader. Actual average of buck harvested is 1/2 to 2 1/2 years old. He stated there was a lot going on in Tennessee and that the Chief of Wildlife lost his job when the issue of lowering the limit from three to two was taken up the antlerless harvest actually dropped. Commissioner Burnette spoke to redefined antlerless deer three-inch antler. Pennsylvania has one buck limit with antler restrictions. Dr. Crum stated Pennsylvania one buck limit antler restriction multiply ways. Commission Wilson asked if this affects the CWD zone? Twenty-five of their counties with CWD was dropped. Any older animal has more of a chance of having CWD males and females, the older they get the more likely to get CWD. Antler point restrictions in some states have been dropped. We do not want to increase age structure here to CWD. Dr. Crum stated that if the Commission chooses to reduce the buck limit, he recommends exempting CWD zones.

Director McDaniel stated as Director of DNR it is important to maintain high integrity and that a good leader listens to his staff. Three surveys show just over 50% want to reduce the buck limit to two. This is a heated issue it is time for the Commissioners to make a decision. There is going to be a financial issue. Tennessee is pleased with their results over the last four years. I support my staff and it is your job as Commissioners to make the

decision. Commissioner Dotson wanted to let his feelings be known - says we cannot lower buck limit to two if we cannot raise license fees which will require legislative support. Would like to get Legislature's opinion before making any decisions. Director McDaniel stated Southwick is evaluating our license system. They will guide us on the best bundling privileges and price breaks. Commissioner Bowers stated he has talked to hunters in his area and they are for lowering the buck limit to two. Commissioner Bowers also stated he talked to Commissioner from Tennessee regarding his thoughts on Tennessee lowering the buck limit. Commissioner Bowers stated his concerns are how is this going to affect DNR financially. Commissioner Cuffaro stated there is no way he is in favor of any license fee increase and asked for a roll call vote. Commissioner Burnette made a **MOTION** to reduce the buck limit from three to two. There was no second to the motion. Motion did not pass. Commissioner Dotson made a **MOTION** to postpone the vote until the second quarterly meeting in 2020 giving the Commissioners time to gather more information and seeking help from the Legislatures. Southwick study will be complete by then and will have the information needed. Commissioner Wilson seconded the motion. Motion passed unanimously. Commissioner Cuffaro asked for a roll call. Roll call: are you in favor of postponing the vote to the second quarterly Natural Resources Commission meeting to reduce the antler buck limit from three to two. Commissioner Wilson, Yea, Commissioner Milne, Yea, Commissioner Bowers, Yea, Commissioner Cuffaro, Yea, Commissioner Chambers, Yea, Commissioner Dotson, Yea, Commissioner Burnette, Yea. Motion carries. Commissioner Bowers stated he is concerned with the financial issue. Director McDaniel stated DNR is not proposing any license fee increase. Director stated the Legislature would make the decision if there were any license fee increase. Commissioner Burnette asked if we vote in May when will it take effect? Mr. Johansen stated generally the second quarterly meeting is when you take action. This would give Game Management time to add to proposed regulations and the Sportsmen's Questionnaire Sectional Public meetings held in March. You would vote on this at the second quarterly Commission meeting. DNR is not proposing any license fees increase. If Commissioners voted and passed at the second quarterly meeting this would take place in the fall season. Paul Johansen stated that the proposed lowering of the buck limit from three to two will be presented at the first quarterly meeting, addressed at the sectional meetings and will be voted on at the second quarterly meeting.

### **NEXT MEETING DATE AND PLACE**

The next meeting of the Natural Resource Commission will be held on October 27, 2019 at Stonewall Jackson Resort State Park.

The Governor's One Shot Hunt event will take place at Stonewall Jackson Resort State Park on Saturday, October 26, 2019.

Director McDaniel announced the Hunting and Fishing Days event will be at Stonewall Resort State Park on September 21 and 22.

### **ADJOURN**

Commissioner Wilson made a **MOTION** to adjourn. Commissioner Dotson seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 3:20 p.m.

**RECOMMENDATIONS FOR THE  
2020-2021 HUNTING AND TRAPPING REGULATIONS**

1. The Division of Natural Resources proposes to extend the September Youth Squirrel Season to two days by adding the following Sunday to the existing season framework.

Favor \_\_\_\_\_

Oppose \_\_\_\_\_

2. The Division of Natural Resources proposes to extend coyote night season with use of artificial light to the first day of January through the last day in August (currently ends last day of July).

Favor \_\_\_\_\_

Oppose \_\_\_\_\_

3. The Division of Natural Resources proposes that all other hunting and trapping regulations for the 2020-2021 seasons be open as shown on the attached table.

Favor \_\_\_\_\_

Oppose \_\_\_\_\_

**Proposed Opening and Closing Dates for the 2020-2021  
Hunting and Trapping Seasons**

<b>Species</b>	<b>Opening &amp; Closing Dates</b>	<b>Comments/Changes</b>
Squirrel	Sept. 12, 2020 - Feb. 28, 2021	
Squirrel (Youth)	Sept. 5 - 6, 2020	Add a Sunday to Youth Squirrel Season
Raccoon (Hunting)	Oct. 17, 2020 - Feb. 28, 2021	
Raccoon (Trapping)	Nov. 7, 2020 - Feb. 28, 2021	
Ruffed Grouse	Oct. 17, 2020 - Feb. 28, 2021	
Quail (Tomblin WMA closed)	Nov. 7, 2020 - Jan. 2, 2021	
Rabbit	Nov. 7, 2020 - Feb. 28, 2021	
Snowshoe Hare	Nov. 7, 2020 - Feb. 28, 2021	
Ring-necked Pheasant (Statewide) (Hillcrest WMA)	Nov. 7, 2020 - Jan. 2, 2021 Nov. 14, 2020 - Dec. 5, 2020	
Fox (Hunting & Trapping) (Hunting at night with artificial light)	Nov. 7, 2020 - Feb. 28, 2021 Jan. 1, 2021 - Feb. 28, 2021	
Bobcat (Hunting & Trapping)	Nov. 7, 2020 - Feb. 28, 2021	
Mink/Muskrat (Trapping)	Nov. 7, 2020 - Feb. 28, 2021	
Fisher (Trapping)	Nov. 7, 2020 - Jan. 31, 2021	
Beaver (Trapping)	Nov. 7, 2020 - Mar. 31, 2021	
Otter (Trapping)	Nov. 7, 2020 - Feb. 28, 2021	
Crow (Hunting)	Oct. 1, 2020 - Nov. 21, 2020 Jan. 1, 2021 - Mar. 6, 2021	
Skunk/Opossum/Coyote/Weasel/ Woodchuck/English Sparrow/European Starling/Pigeon (Hunting)	Continuous Open Season	Proposal to extend the Coyote (Hunting at night with light) Season through the end of August. Currently it closes the end of July.
Coyote (Hunting at night with artificial light)	Jan. 1, 2021 - Aug. 31, 2021	
Skunk/Opossum/Coyote/Weasel (Trapping)	Nov. 7, 2020 - Feb. 28, 2021	
Elk, Song & Insectivorous Birds, Hawks, Owls, Falcons & Eagles	No Open Season	

**RECOMMENDATIONS FOR THE  
2020 FISHING REGULATIONS**

Presented to the  
West Virginia Natural Resources Commission

Prepared by: West Virginia Division of Natural Resources  
Wildlife Resources Section  
Fish Management  
August 4<sup>th</sup>, 2019

## RECOMMENDATIONS FOR THE 2020 FISHING REGULATIONS

1. The Division of Natural Resources proposes to extend the 20"-30" slot limit with a 2-fish daily creel for Walleye, only one of which can be over 30", on 1) Elk River upstream of Sutton Dam, including Sutton Lake and all tributaries and 2) Gauley River and all tributaries (upstream of Summersville Lake) beginning at the mouth of Persinger Creek.

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

2. The Division of Natural Resources proposes that the Walleye regulation (20"-30" slot, 2-fish limit) be extended into the tributaries of the following rivers: Bluestone, Coal, Elk, Greenbrier, Gauley, Kanawha (upstream of Winfield Lock and Dam), and New rivers.

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

3. The Division of Natural Resources proposes to reduce the daily creel limit for all Esocid species (Muskellunge, Northern Pike, Tiger Musky, and all Pickerel) to a 1-fish daily creel limit with a possession limit of 2 fish on all State waters.

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

4. The Division of Natural Resources proposes to establish the minimum size limit for Tiger Musky at 30" minimum size.

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

5. The Division of Natural Resources proposes to add Bluestone, Beech Fork, and R. D. Bailey Lakes to the regulation of a 4-fish daily creel limit with a 15"-minimum size limit for all Moronidae species including Striped Bass, White Bass, and Hybrid Striped Bass and move East Lynn Lake to the Statewide regulation.

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

6. The Division of Natural Resources proposes to establish a 6-fish daily creel in aggregate for Walleye, Sauger, and Saugeye on the Ohio River. Only 2 of the 6 fish can be Walleye and must be a minimum of 18" in length.

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

7. The Division of Natural Resources proposes the possession limit on the following streams to be zero (0) for all fish species other than game fish. Furthermore, no fish may be used as bait on the following waters:

- a. *Confluence of the East and West Forks of the Greenbrier River upstream including all tributaries.*
- b. *Gauley River upstream of the Route 55/20 Bridge (Curtin, WV) which includes the Cherry, Williams, Cranberry, and Upper Gauley rivers and all tributaries of each river.*
- c. *Camp Creek and Manns Creek including all tributaries of each stream. Note: Glade Creek in Babcock State Park is included in the Manns Creek drainage.*

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

8. The Division of Natural Resources proposes to make illegal the possession of any darter species within the State of West Virginia.

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

9. All other fishing regulations for 2020 would be the same as those in 2019.

Favor \_\_\_\_\_ Oppose \_\_\_\_\_

## **Evaluation of a Reduction to the Annual Bag Limit from Three (3) to Two (2) Antlered Bucks per Hunter per Year**

### **A Briefing Report**

**April 17, 2019**

#### **Background**

The annual antlered buck bag limit was 5 from 1989 through 2004 with the one year exception of 1995. In 1995, the annual antlered buck bag limit was reduced from 5 to 2 by the Natural Resources Commission after 65% of the sportsmen that returned their annual Hunting, Fishing, and Trapping Regulations questionnaires approved of the idea. However, the Commission did not include the limit for the 1996 deer seasons, in part because of sportsmen expressing opposition to the regulation. The annual antlered buck bag limit was reduced from 5 to 3 antlered bucks by the Natural Resources Commission for the 2005 deer seasons and continues in effect to present. Currently, the total maximum annual bag limit for deer (excluding special Youth/Class Q, Urban, and State Parks hunts) in West Virginia is 11 deer. This current total annual bag limit of 11 deer may include no more than 3 antlered bucks. Maximum annual bag limits by season are currently as follows: 3 deer in archery season (2 of which may be antlered bucks), 2 deer in traditional buck firearms season of which both must be antlered bucks, 3 deer in antlerless season of which all must be antlerless deer, 2 deer in muzzleloader season of which both may be antlered bucks, and 1 deer in the Mountaineer Heritage season which may be a buck. Thus, WV hunters have an option to harvest up to 3 antlered bucks. Annual bag limits for antlered bucks of states surrounding West Virginia vary. Kentucky, Ohio, and Pennsylvania limit hunters to 1 antlered buck annually while Maryland and Virginia have their state divided into regions with separate antlered buck bag limits that give hunters the opportunity to harvest a maximum annual bag limit of 3 antlered bucks.

#### **Evaluation Brief**

The harvesting of adult males from a deer herd has little effect on subsequent year population as long as the majority of the animals are not taken prior to breeding. This practice has been the major reason deer populations have flourished in West Virginia and other states. The harvesting of the female segment of the population has a much greater effect on the subsequent year deer population, and must be monitored and adjusted according to desired deer density estimates to maintain stable deer population levels.

The setting of season lengths, time of year, gender restrictions and bag limits not only regulate the harvest of deer numbers, but manage the distribution and density of hunters and recreation opportunities. Although a large deer bag limit exists, a very small proportion of hunters reach this limit. An evaluation of hunter participation by season is presented in Table 1. Tracking

individual hunters via the electronic game checking system indicate over 90% of successful hunters from the 2015 to 2018 deer seasons harvested less than 3 deer (Table 2). Further, over 98% of successful hunters harvested less than 3 antlered bucks (Table 3). Since a large proportion of West Virginia deer hunters harvest two or less antlered bucks it is unlikely that an annual 2 antlered buck bag limit would reduce the overall mortality of adult antlered bucks to influence antler size.

Most hunters judge the quality of deer by antler size. Antler development of deer is influenced by nutrition, age and genetics. Nutrition and age are the dominate contributing factors to antler development and in most practical situations, the only factors that can be addressed. Nutrition is determined by the quality of habitat and thus influenced by the density of deer. Age structure can be influenced by the annual proportion of yearling bucks removed from a population. Current accepted guidelines for quality buck management suggests no more than 50% of the adult male deer harvested should be yearlings. Wildlife agencies have adopted an annual one antlered buck bag limit and other harvest restrictions to reduce the mortality on the male deer population segment to achieve this 50% yearling harvest. Although limited, age information on harvested adult male deer in West Virginia collected at game checking stations clearly indicates that the percent of yearling bucks harvested in West Virginia is currently well within the quality buck guidelines of 50% (Figure 1).

The ability to change the distribution and density of hunters is important in managing deer populations that are unevenly distributed with regard to desired population densities. Given a finite number of hunters, bag limits, season timing, gender restrictions and recreation opportunities incentivize hunter participation by management unit (i.e. county) and result in increases or decreases of deer densities. However balancing these opportunities with biological and sociological realities is difficult.

A deer hunter participation survey conducted in 2017 indicated that 51% of all resident deer hunters participated in deer season combinations that would permit them to take more than 2 antlered bucks. Although hunters were not surveyed in 1995 when the 2 antlered buck limit was in effect, harvest records and license sales indicate that hunters that participated in multiple deer seasons do make choices either not to hunt or to hunt antlerless deer when the perception of success or opportunities to harvest antlered bucks is reduced (Table 4). Clearly hunter recreation and license sales revenue was altered by the "2 buck limit" of 1995. Thus it is estimated that hunter recreation days will decline and license revenue will decrease by approximately \$220,000.00 if an annual 2 antlered buck limit is imposed on West Virginia deer hunters. Combining the altered license sales that resulted in 1995 and remembering the genesis of additional deer stamps was to increase antlerless deer harvest, the reduction of the annual antlered deer bag limit from 3 to 2 could lead to higher deer densities with poorer antler quality from less nutrition and habitat degradation.

**Advantages of the Reduction:**

1. There may be a perceived positive perception by the hunting public that the Division of Natural Resources is attempting to grow deer with larger antlers, a trait that most hunters desire.

**Disadvantages of the Reduction:**

1. Present biological data indicates yearling antlered buck mortality is not excessive and any benefits to antler size would be minimal.
2. Only a small number of hunters harvest 3 antlered deer at the present time but perceived opportunity to pursue antlered bucks appears to be a strong motivation for hunters to deer hunt.
3. An adoption of this proposed change would be misleading to the public because it will not produce a noticeable shift in the age structure of bucks.

**Recommendation:**

The West Virginia Division of Natural Resources recommends that at the current time the maximum annual 3 antlered buck bag limit for the base license remain the same.

Table 1. Percent participation of West Virginia deer hunters by deer seasons.

Season or Season Combination	Year				
	1991	2006	2010	2015	2017
Archery Only	1.9%	5.2%	3.3%	5.0%	6.3%
Buck Only	24.3%	34.3%	27.2%	25.6%	23.8%
Antlerless Only	0.0%	0.70%	2.3%	0.1%	1.6%
Muzzleloader Only	0.0%	0.50%	0.7%	0.3%	0.4%
Archery/Buck	14.1%	13.0%	13.9%	12.8%	14.4%
Archery/Antlerless	0.0%	0.3%	0.9%	0.2%	0.8%
Archery/Muzzleloader	0.0%	0.2%	0.6%	0.3%	0.3%
Buck/Antlerless	16.5%	15.0%	16.3%	23.4%	20.4%
Buck/Muzzleloader	2.8%	5.4%	4.3%	1.7%	2.0%
Antlerless/Muzzleloader	0.0%	0.2%	0.5%	0.1%	0.3%
Archery/Buck/Antlerless	14.7%	5.4%	8.2%	13.7%	12.3%
Archery/Buck/Muzzleloader	4.0%	8.4%	6.8%	4.4%	5.6%
Archery/Antlerless/Muzzleloader	0.0%	0.1%	0.4%	0.2%	0.3%
Buck/Antlerless/Muzzleloader	7.0%	4.9%	5.0%	3.7%	3.4%
Archery/Buck/Antlerless/Muzzleloader	14.7%	6.4%	9.6%	8.5%	8.1%
All Seasons	100.0%	100.0%	100.0%	100.0%	100.0%

Note: 1991 information included all licensed hunters (i.e., resident and non-resident)  
 2006 and 2010 information included all resident hunters (i.e., licensed and non-licensed)  
 2015 and 2017 included all resident and non-resident hunters (i.e., licensed and non-licensed)

Table 2. Number of deer harvested by successful deer hunters during the 2015-2018 deer hunting seasons.

Number of Deer Taken	Year			
	2015	2016	2017	2018
1	69%	71%	70%	71%
2	21%	20%	21%	20%
3	7%	6%	6%	6%
4	2%	2%	2%	2%
5	1%	1%	1%	1%
6	0%	0%	0%	0%
7	0%	0%	0%	0%
8	0%	0%	0%	0%
9	0%	0%	0%	0%
10	0%	0%	0%	0%
	100%	100%	100%	100%

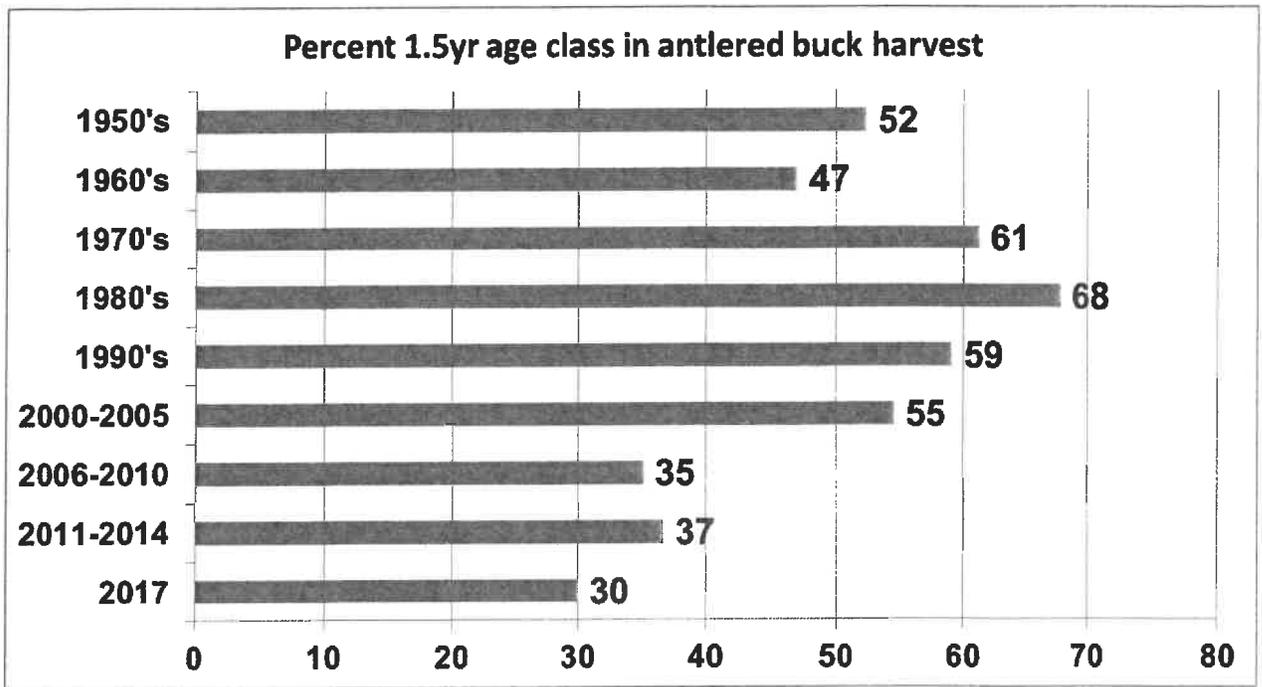
Table 3. Number of successful hunters stratified by number of antlered bucks taken during the 2015 - 2018 West Virginia deer seasons.

Bucks Harvested	Year							
	2015		2016		2017		2018	
	N	%	N	%	N	%	N	%
1	58,476	85%	47,891	87.1%	46,546	86.8%	46,475	86.8%
2	9,369	14%	6,406	11.6%	6,367	11.9%	6,262	11.7%
3	1,241	2%	691	1.3%	682	1.3%	771	1.4%
4			19	0.0%	16	0.0%	20	0.0%
5			2	0.0%	2	0.0%	3	0.0%
Total Bucks Harvested All Seasons	69,086	100%	55,009	100%	53,613	100.0%	53,532	100.0%

**Table 4. Actual Effects of Two Buck Limit Imposed in 1995, Projected to Current Sales.**

				Actual					
	Actual	Actual	Actual	Percent	Actual	Projected	Projected	License	Projected
License	# Sold	# Sold	Reduction	Reduction	2018	Percent	Reduction	Fee	Revenue
Class	1994	1995	in # Sold	in # Sold	# Sold	Reduction	in # Sold	2018	Reduction
RG	55,153	48,516	6,637	12%	19,761	12%	2,378	\$21	\$49,938
RB	22,923	18,791	4,132	18%	17,082	18%	3,079	\$21	\$64,662
E	41,619	40,393	1,226	3%	24,992	3%	736	\$119	\$87,609
RRG	11,050	10,375	675	6%	4,336	6%	265	\$43	\$11,389
RRB	3,073	2,834	239	8%	2,310	8%	180	\$37	\$6,647
								<b>Total =&gt;</b>	<b>\$220,245</b>

Note: In 1995 the additional muzzleloader (RM/RRM) license did not exist thus the impact on the sales of RM/RRM license which total \$27,595 in 2018 is not included in the above financial projections. Resident base license sales did not differ greatly between 1994 and 1995 and also are not included in the above financial project.



**Figure 1.** Percent yearling bucks in harvest for 1955-2017 (N=51,211 total bucks 1.5 years of age or older examined).

## APPENDIX I

Impact of 2-antlered buck regulation on revenue compiled by Hall, Brown, and Crum 8\4\94 for Bob Miles.

LICENSE CLASS	NUMBER LOST	DOLLAR VALUE
R-B	4,250	\$42,500
RR-B	750	\$18,750
R-G	8,300	\$83,000
RR-G	1,700	\$42,500
TOTAL	15,000	\$186,750

ASSUMPTIONS: 1) 5,000 Bow hunters who prefer to buck hunt during bow season and also like to gun hunt will not buy R-B or RR-B stamps. 2) 10,000 Bow hunters who have killed 1 buck during bow season will not buy an R-G or RR-G because they won't be able to use it during gun season.

Note: This briefing report evaluated the reduction of the total annual antlered buck bag limit from three (3) to two (2) while not changing any bag limits to the base license. Financial evaluations are different from previous briefing papers because previous requests included modifications to bag limits included with base licenses.