West Virginia
Natural Resources

Migratory Bird Hunting

Regulations Summary

September 2011 – January 2012

www.wvdnr.gov

STATE REGULATIONS

WHAT'S NEW FOR 2011-2012

- There are now two youth waterfowl hunting days: Sept. 24 and Nov. 5
- Zones have been eliminated. All migratory bird seasons are now statewide.
- Duck season is now a three-way split season.
- Woodcock season opens the same day as ruffed grouse season.

1. All licensed hunters (including lifetime and senior citizens) must possess a valid HIP registration card to hunt any migratory game birds.
2. Youth waterfowl hunting season is open to youth ages 15 and younger for taking ducks, geese, coots, gallinules and mergansers. Youth hunters must be accompanied by a licensed adult age 21 or older. The accompanying adult may not hunt or possess a firearm.
3. It is lawful to hunt waterfowl on major waterways, lakes, and reservoirs of the state during the gun season for deer should the waterfowl season be open.
4. Only nontoxic shot size T or smaller approved by the U.S. Fish and Wildlife Service may be used or be in the hunter's possession while hunting waterfowl.
5. McClintic Wildlife Management Area
   a. Hunting hours for waterfowl within the controlled waterfowl hunting area will be from legal shooting time until 12:00 noon (prevailing time) October 1-8, 2011 (except Sundays).
   b. Waterfowl hunting in the controlled hunt area will be by permit only. This area is designated by signs, and includes Ponds 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 16, 17, 18, 19, 20, 23, 36, 39 and 40. Applications for a permit must be received at the Division of Natural Resources, Route 1, Box 484, Point Pleasant, West Virginia 25550, by September 2, 2011.
   c. Concurrent hunting is prohibited in the controlled waterfowl hunting area Oct.1-8, 2011.
6. Green Bottom Wildlife Management Area
   a. Hunting hours for waterfowl will be from legal shooting time until noon during the first split of the waterfowl season, Oct. 1-8, 2011 (except Sunday).
   b. Waterfowl hunting will be by permit only. Permits will be issued at the area headquarters between 5 a.m. and 7 a.m. the first two days and between 6 a .m. and 7 a.m. the remaining days of the season, Oct. 1-8, 2011.
   c. Concurrent hunting is prohibited Oct. 1-8, 2011.

September 2011 - January 2012 Migratory Game Bird Hunting Seasons

Species	Open Seasons (All Dates Inclusive)	Daily Bag Limits (a)	Possession Limits (b)
Mourning Dove *3-way Split Season*	Sept. 1 – Oct. 8	15	30
	Oct. 24 – Nov. 12		
	Dec. 26 – Jan. 6		
Sora and Virginia Rails	Sept. 1 – Nov. 5	25	25
Common Snipe	Sept. 1 – Dec. 10	8	16
Woodcock	Oct. 15 – Nov. 28	3	6
Youth Waterfowl *(2 single days)*	Sept. 24 and Nov. 5	(c)	(c)
Ducks *3-way Split Season*	Oct. 1 – Oct. 8	6 (d)	12 (d)
	Nov. 14 – Nov. 19		
	Dec. 14 – Jan. 28		
Gallinules and Coots	Same as Ducks	15	30
Mergansers	Same as Ducks	5 (e)	10 (e)
Canada Goose *3-way Split Season*	Sept. 1 – Sept. 17	5	10
	Oct. 1 – Oct. 29		
	Dec. 12 – Jan. 31		
Snow and Blue Goose *2-way Split Season*	Oct. 1 – Oct. 29	5	10
	Dec. 12 – Jan. 31		
Brant	Dec. 14 – Jan. 28	2	4
Closed Seasons	Swans, King and Clapper Rails, Eiders, Whistling Ducks, Mottled Ducks, and Harlequin Ducks		

a. The daily bag limit for falconry hunting is three (3) migratory game birds in the aggregate, and the possession limit is six (6) migratory game birds in the aggregate.
b. After the first day.
c. The bag limit for the youth days is the same as the daily limit of the regular duck and goose seasons.
d. The daily bag limit of six (6) can include only two (2) pintails, four (4) long-tailed ducks, two (2) scaup, one (1) black duck, three (3) wood ducks, two (2) redheads, four (4) scoters, one (1) canvasback and four (4) mallards of which only two (2) may be hens. The duck possession limit can include only twice the daily bag limit.
e. The daily merganser bag limit can include only two (2) hooded mergansers, with a possession limit of four (4).

7. Deed restrictions prohibit all hunting, including waterfowl, at Warden Lake Wildlife Management Area.

SHOOTING HOURS

Shooting hours for dove are from 12:00 noon to sunset on opening day of the first segment and from one-half hour before sunrise to sunset during the remainder of the season. Shooting hours for rails, snipe, woodcock and waterfowl are from one-half hour before sunrise to sunset.

SUNDAY HUNTING

Waterfowl hunting is prohibited on Sundays except on privately owned lakes, ponds or impoundments and private land in those counties where Sunday hunting has not been prohibited by local election.

NATIONAL WILDLIFE REFUGES

Rules and Regulations for hunting on National Wildlife Refuges may be obtained from:

Ohio River Islands NWR

3982 Waverly Road • Williamstown, WV 26187 • (304) 375-2923

Canaan Valley NWR

HC 70, Box 200 • Davis, WV 26260 • (304) 866-3858

BANDED BIRDS

Many game birds are banded with leg bands and other markers annually in North America. Please report any such birds to the U.S. Fish and Wildlife Service at 1-800-327-BAND (2263) during regular business hours or online at www.reportband.gov.

SUMMARY OF FEDERAL REGULATIONS

The following is a synopsis of Federal Regulations that pertain to the hunting of migratory game birds. Persons requiring more information should go to http://www.fws.gov/hunting/whatres.html, where they will find a complete version of 50 CFR Part 20. When State law is different from the following Federal law the hunter must comply with the most restrictive law.

WHAT TERMS DO I NEED TO UNDERSTAND?

Migratory Birds are birds protected by federal law as a result of treaties signed with other countries. Protected migratory birds are listed in Title 50 Code of Federal Regulations, Section. 10.13. This list includes almost all birds found in the United States with the exception of the house sparrow, feral pigeon (commonly called rock dove), European starling, Eurasian collared-dove, mute swan, and upland game birds (which are protected by state laws). All migratory birds are protected. However, a subset of migratory birds is classified as migratory game birds and may be hunted in accordance with State and Federal regulations. The list of migratory game birds includes species of ducks, geese (including brant), swans, doves and pigeons, cranes, rails, coots, gallinules and moorhens, woodcock and snipe, if there is an open season.

Daily bag limit means the maximum number of migratory game birds of a single species or combination (aggregate) of species permitted to be taken by one person in any one day during the open season in any one specified geographic area for which a daily bag limit is prescribed.

Aggregate daily bag limit means the maximum number of migratory game birds permitted to be taken by one person in any one day during the open season when such person hunts in more than one specified geographic area and/or for more than one species for which a combined daily bag limit is prescribed. The aggregate daily bag limit is equal to, but shall not exceed, the largest daily bag limit prescribed for any one species or for any one specified geographic area in which taking occurs.

Possession limit means the maximum number of migratory game birds of a single species or a combination of species permitted to be possessed by any one person when lawfully taken in the United States in any one specified geographic area for which a possession limit is prescribed.

Aggregate possession limit means the maximum number of migratory game birds of a single species or combination of species taken in the United States permitted to be possessed by any one person when taking and possession occurs in more than one specified geographic area for which a possession limit is prescribed. The aggregate possession limit is equal to, but shall not exceed, the largest possession limit prescribed for any one of the species or specified geographic areas in which taking and possession occurs.

Personal abode means one's principal or ordinary home or dwelling place, as distinguished from one's temporary or transient place of abode or dwelling such as a hunting club, or any club house, cabin, tent or trailer house used as a hunting club, or any hotel, motel or rooming house used during a hunting, pleasure or business trip.

Migratory bird preservation facility means:

1. Any person who, at their residence or place of business and for hire or other consideration; or
2. Any taxidermist, cold-storage facility or locker plant which, for hire or other consideration; or
3. Any hunting club which, in the normal course of operations; receives, possesses, or has in custody any migratory game birds belonging to another person for purposes of picking, cleaning, freezing, processing, storage or shipment.

Normal agricultural planting, harvesting, or post-harvest manipulation means a planting or harvesting undertaken for the purpose of producing and gathering a crop, or manipulation after such harvest and removal of grain, that is conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture.

Normal agricultural operation means a normal agricultural planting, harvesting, post-harvest manipulation, or agricultural practice that is conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture.

Normal soil stabilization practice means a planting for agricultural soil erosion control or post-mining land reclamation conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture for agricultural soil erosion control.

Baited area means any area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or other feed could serve as a lure or attraction for migratory game birds to, on, or over areas where hunters are attempting to take them. Any such area will remain a baited area for ten days following the complete removal of all such salt, grain, or other feed.

Baiting means the direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could serve as a lure or attraction for migratory game birds to, on, or over any areas where hunters are attempting to take them.

Manipulation means the alteration of natural vegetation or agricultural crops by activities that include but are not limited to mowing, shredding, discing, rolling, chopping, trampling, flattening, burning, or herbicide treatments. The term manipulation does not include the distributing or scattering of grain, seed, or other feed after removal from or storage on the field where grown.

Natural vegetation means any non-agricultural, native, or naturalized plant species that grows at a site in response to planting or from existing seeds or other propagules. The term natural vegetation does not include planted millet. However, planted millet that grows on its own in subsequent years after the year of planting is considered natural vegetation.

WHAT HUNTING METHODS ARE ILLEGAL?

No persons shall take migratory game birds:

- With a trap, snare, net, rifle, pistol, swivel gun, shotgun larger than 10 gauge, punt gun, battery gun, machinegun, fish hook, poison, drug, explosive, or stupefying substance;
- With a shotgun of any description capable of holding more than three shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, so its total capacity does not exceed three shells.
- From or by means, aid, or use of a sinkbox or any other type of low floating device, having a depression affording the hunter a means of concealment beneath the surface of the water;
- From or by means, aid, or use of any motor vehicle, motor-driven land conveyance, or aircraft of any kind, except that paraplegics and persons missing one or both legs may take from any stationary motor vehicle or stationary motor-driven land conveyance;
- From or by means of any motorboat or other craft having a motor attached, or any sailboat, unless the motor has been completely shut off and/or the sails furled, and its progress there from has ceased;
- By the use or aid of live birds as decoys; although not limited to, it shall be a violation of this paragraph for any person to take migratory waterfowl on an area where tame or captive live ducks or geese are present unless such birds are and have been for a period of 10 consecutive days prior to such taking, confined within an enclosure which substantially reduces the audibility of their calls and totally conceals such birds from the sight of wild migratory waterfowl;
- By the use or aid of recorded or electrically amplified bird calls or sounds, or recorded or electrically amplified imitations of bird calls or sounds.
- By means or aid of any motor driven land, water, or air conveyance, or any sailboat used for the purpose of or resulting in the concentrating, driving, rallying, or stirring up of any migratory bird;
- By the aid of baiting, or on or over any baited area, where a person knows or reasonably should know that the area is or has been baited.

It is legal to take migratory game birds including waterfowl, coots, and cranes, on or over the following lands or areas that are not otherwise baited areas:

- Standing crops or flooded standing crops (including aquatics);
- Standing, flooded, or manipulated natural vegetation; flooded harvested croplands; or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation or normal soil stabilization practice;
- From a blind or other place of concealment camouflaged with natural vegetation;
- From a blind or other place of concealment camouflaged with vegetation from agricultural crops, as long as such camouflaging does not result in the exposing, depositing, distributing or scattering of grain or other feed; or
- Standing or flooded standing agricultural crops where grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys, or retrieving downed birds.

It is legal to take migratory game birds, except waterfowl, coots and cranes, on or over lands or areas that are not otherwise baited areas, and where grain or other feed has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, or solely as the result of a normal agricultural operation.

WANTON WASTE OF MIGRATORY GAME BIRDS

No person shall kill or cripple any migratory game bird without making a reasonable effort to retrieve the bird, and retain it in his actual custody, at the place where taken or between that place and either (a) his automobile or principal means of land transportation; or (b) his personal abode or temporary or transient place of lodging; or (c) a migratory bird preservation facility; or (d) a post office; or (e) a common carrier facility.

NON-TOXIC SHOT

No person may take ducks, geese (including brant), or coots while possessing shot (either in shotshells or as loose shot for muzzleloading) other than approved non-toxic shot. For a list of approved non-toxic shot, see http://www.fws.gov/migratorybirds/CurrentBirdIssues/nontoxic.htm.

OPENING DAY OF A SEASON

No person on the opening day of the season shall possess any freshly killed migratory game birds in excess of the daily bag limit, or aggregate daily bag limit, whichever applies.

FIELD POSSESSION LIMIT

No person shall possess, have in custody, or transport more than the daily bag limit or aggregate daily bag limit, whichever applies, of migratory game birds, tagged or not tagged, at or between the place where taken and either (a) his automobile or principal means of land transportation; or (b) his personal abode or temporary or transient place of lodging; or (c) a migratory bird preservation facility; or (d) a post office; or (e) a common carrier facility.

TAGGING REQUIREMENT

No person shall put or leave any migratory game birds at any place (other than at his personal abode), or in the custody of another person for picking, cleaning, processing, shipping, transportation, or storage (including temporary storage), or for the purpose of having taxidermy services performed, unless such birds have a tag attached, signed by the hunter, stating his address, the total number and species of birds, and the date such birds were killed. Migratory game birds being transported in any vehicle as the personal baggage of the possessor shall not be considered as being in storage or temporary storage.

CUSTODY OF BIRDS OF ANOTHER

No person shall receive or have in custody any migratory game birds belonging to another person unless such birds are properly tagged.

TERMINATION OF POSSESSION

Subject to all other requirements of this part, the possession of birds taken by any hunter shall be deemed to have ceased when such birds have been delivered by him to another person as a gift; or have been delivered by him to a post office, a common carrier, or a migratory bird preservation facility and consigned for transport by the Postal Service or a common carrier to some person other than the hunter.

GIFT OF MIGRATORY GAME BIRDS

No person may receive, possess, or give to another, any freshly killed migratory game birds as a gift, except at the personal abodes of the donor or donee, unless such birds have a tag attached, signed by the hunter who took the birds, stating such hunter's address, the total number and species of birds and the date such birds were taken.

TRANSPORTATION OF BIRDS OF ANOTHER

No person shall transport migratory game birds belonging to another person unless such birds are properly tagged.

SPECIES IDENTIFICATION REQUIREMENT

No person shall transport within the United States any migratory game birds, except doves and band-tailed pigeons, unless the head or one fully feathered wing remains attached to each such bird at all times while being transported from the place where taken until they have arrived at the personal abode of the possessor or a migratory bird preservation facility.

MARKING PACKAGE OR CONTAINER

No person shall transport by the Postal Service or a common carrier migratory game birds unless the package or container in which such birds are transported has the name and address of the shipper and the consignee and an accurate statement of the numbers of each species of birds therein contained clearly and conspicuously marked on the outside thereof.

MIGRATORY BIRD HUNTING AND CONSERVATION STAMP

The law requires that each waterfowl hunter 16 years of age and older must carry on his person a Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp) that is validated by the hunter signing the stamp in ink across the face of the stamp.

More restrictive regulations may apply to National Wildlife Refuges opened to public hunting. For additional information on refuge specific regulations see http://www.fws.gov/refuges/.

Sunrise and Sunset Time Table

	September		October		November	
Day	Rise	Set	Rise	Set	Rise	Set
1	6:56	7:57	7:22	7:10	7:53	6:27
2	6:57	7:55	7:23	7:08	7:54	6:26
3	6:58	7:54	7:24	7:07	7:55	6:25
4	6:58	7:52	7:25	7:05	7:56	6:24
5	6:59	7:51	7:26	7:04	7:57	6:23
6	7:00	7:49	7:27	7:02	7:58	6:22
7	7:01	7:48	7:28	7:01	6:59	5:21
8	7:02	7:46	7:28	6:59	7:00	5:20
9	7:03	7:44	7:29	6:58	7:01	5:19
10	7:04	7:43	7:30	6:56	7:02	5:18
11	7:05	7:41	7:31	6:55	7:03	5:17
12	7:06	7:40	7:32	6:53	7:04	5:16
13	7:06	7:38	7:33	6:52	7:06	5:16
14	7:07	7:37	7:34	6:50	7:07	5:15
15	7:08	7:35	7:35	6:49	7:08	5:14
16	7:09	7:33	7:36	6:48	7:09	5:13
17	7:10	7:32	7:37	6:46	7:10	5:13
18	7:10	7:30	7:38	6:45	7:11	5:12
19	7:11	7:29	7:39	6:43	7:12	5:11
20	7:12	7:27	7:40	6:42	7:13	5:11
21	7:13	7:25	7:41	6:41	7:14	5:10
22	7:14	7:24	7:42	6:39	7:15	5:10
23	7:15	7:22	7:43	6:38	7:16	5:09
24	7:16	7:21	7:44	6:37	7:17	5:09
25	7:17	7:19	7:45	6:36	7:18	5:08
26	7:18	7:18	7:46	6:34	7:19	5:08
27	7:18	7:16	7:47	6:33	7:20	5:08
28	7:19	7:14	7:48	6:32	7:21	5:07
29	7:20	7:13	7:49	6:31	7:22	5:07
30	7:21	7:11	7:50	6:29	7:23	5:07
31			7:51	6:28		

	December		January	
Day	Rise	Set	Rise	Set
1	7:24	5:06	7:44	5:16
2	7:25	5:06	7:44	5:17
3	7:26	5:06	7:44	5:18
4	7:27	5:06	7:44	5:19
5	7:28	5:06	7:44	5:20
6	7:29	5:06	7:44	5:21
7	7:30	5:06	7:44	5:22
8	7:31	5:06	7:44	5:23
9	7:32	5:06	7:44	5:24
10	7:32	5:06	7:44	5:25
11	7:33	5:06	7:43	5:25
12	7:34	5:06	7:43	5:26
13	7:35	5:06	7:43	5:28
14	7:35	5:07	7:43	5:29
15	7:36	5:07	7:42	5:30
16	7:37	5:07	7:42	5:31
17	7:37	5:08	7:42	5:32
18	7:38	5:08	7:41	5:33
19	7:39	5:08	7:41	5:34
20	7:39	5:09	7:40	5:35
21	7:40	5:09	7:40	5:36
22	7:40	5:10	7:39	5:37
23	7:41	5:10	7:39	5:38
24	7:41	5:11	7:38	5:39
25	7:42	5:12	7:37	5:41
26	7:42	5:13	7:37	5:42
27	7:42	5:13	7:36	5:43
28	7:43	5:13	7:35	5:44
29	7:43	5:14	7:35	5:45
30	7:43	5:15	7:34	5:46
31	7:43	5:16	7:33	5:47

NOTE:
To compensate for time variations, corrections indicated for the following cities should be added or subtracted (as indicated) to both sunrise and sunset time.

Minutes

Grafton	- 5
Grantsville	- 1
Hurricane	+ 1
Huttonsville	- 6
Keyser	- 9
Logan	- 1
Marlinton	- 7
Martinsburg	- 15
Morgantown	- 5
Princeton	- 5
Romney	- 12
Sistersville	- 1

DISTRICT OFFICES

Main Office
324 Fourth Avenue
South Charleston, WV 25303
304.558.2771
Law Enforcement:
304.558.2784

District 1
1110 Railroad Street
Farmington, WV 26571
304.825.6787

District 2
1 Depot Street
Romney, WV 26757
304.822.3551

District 3
Box 38
French Creek, WV 26218
304.924.6211
Law Enforcement:
304.637.0245

District 4
2006 Robert C. Byrd Drive
Beckley, WV 25801-8320
304.256.6947

District 5
1163 Wildlife Road
Point Pleasant, WV 25550
304.675.0871
Law Enforcement:
304.759.0703

District 6
2311 Ohio Avenue
Parkersburg, WV 26101
304.420.4550

Operations Center
P.O. Box 67
Elkins, WV 26241
304.637.0245

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WILDLIFE
WEST VIRGINIA
DIVISION OF NATURAL RESOURCES

WEST VIRGINIA
NATURAL RESOURCES
POLICE

West Virginia Division of Natural Resources
Hunting and Fishing License Unit

324 Fourth Avenue
South Charleston, West Virginia 25303

304.558.2758

customerservice@wvdnr.gov

It is the policy of the Division of Natural Resources to provide its facilities, services, programs, and employment opportunities to all persons without regard to sex, race, age, religion, national origin or ancestry, disability, or other protected group status.

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