

NATURAL RESOURCES COMMISSION
Quarterly Meeting
August 2, 2020
MINUTES

The quarterly meeting of the Natural Resources Commission was held on Sunday, August 2, 2020, via Zoom, DNR Headquarters, South Charleston, West Virginia.

The following individuals attended:

NATURAL RESOURCES COMMISSIONERS

Jeffrey S. Bowers
David M. Milne
Kenneth R. Wilson
Gregory K. Burnette
Thomas O. Dotson
Byron K. Chambers (via zoom)
Peter Cuffaro (via zoom)

MEDIA

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

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
Zack Brown, Wildlife Resources, South Charleston, WV
Scott Warner, Wildlife Resources, South Charleston, WV
Gary Foster, Wildlife Resources, South Charleston/Elkins, WV

Mark Scott, Wildlife Resources, South Charleston, WV
Kevin Oxenrider, Wildlife Resources, Romney, WV
Scott Kline, Administration, South Charleston, WV
Jim Crum, Wildlife Resources, Elkins, WV
Terry Ballard, Law Enforcement, Forks of Coal, South Charleston, WV
Jordan Butcher, Law Enforcement, Forks of Coal, South Charleston, WV
Jacob Miller, Law Enforcement, Forks of Coal, South Charleston, WV
Dakota Chattin, Law Enforcement, Forks of Coal, South Charleston, WV
David Trader, Law Enforcement, South Charleston, WV
Linda Ordiway, Wildlife Resources, Elkins, WV
Brian Bolyard, Administration, South Charleston, WV
Brett Skelley, Wildlife Resources, Elkins, WV
Jane Charnock, Assistant Attorney General, South Charleston, WV

PUBLIC

Jeff Whitman, Office of Technology, Charleston, WV
Savannah Ashworth, Division of Communications, Charleston, WV

CALL TO ORDER

Director Stephen McDaniel called the meeting to order at 1:00 p.m. Director McDaniel introduced himself and welcomed everyone to the meeting. Director McDaniel asked the commissioners to introduce themselves and state the county that they represent. Director McDaniel introduced Commissioner Peter L. Cuffaro and Commissioner Byron K. Chambers, who were participating via zoom.

RATIFICATION OF MINUTES

Commissioner Bowers made a **MOTION** to approve the minutes of the May 31, 2020, meeting of the Natural Resources Commission as submitted. Commissioner Burnette seconded the motion. The motion passed unanimously.

APPROVAL OF THE 2021-2022 SMALL GAME AND FURBEARER HUNTING and TRAPPING REGULATIONS

Gary Foster reviewed the proposed 2021-2022 Small Game and Furbearer Hunting and Trapping regulations. The Division of Natural Resources proposed that all other small game and furbearer hunting and trapping regulations for the 2021-2022 season be

Mark Scott, Wildlife Resources, South Charleston, WV
Kevin Oxenrider, Wildlife Resources, Romney, WV
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approve as submitted. Commissioner Wilson seconded the motion. Motion passed unanimously. (Attachment A)

APPROVAL OF THE 2021 FISHING REGULATIONS

Mark Scott reviewed the proposed 2021 Fishing Regulations (Attachment B)

1. The Division of Natural Resources proposed to establish a State-wide 30-fish daily creel and 60-fish possession limit for each of the following fish species: black and white crappie in aggregated, all sunfish species in aggregate, all other gamefish currently not under a creel limit, and yellow perch. Commissioner Bowers made a **MOTION** to approve as submitted. Commissioner Dotson seconded the motion. Motion passed unanimously.
2. The Division of Natural Resources proposes to remove the 12" size limit for black bass from Wallback Lake. Commissioner Wilson made a **MOTION** to approve as submitted. Commissioner Milne seconded the motion. Motion passed unanimously.
3. The Division of Natural Resources proposed to remove the season for dip netting to allow this method to be used year-round. Commissioner Dotson made a **MOTION** to approve as submitted. Commissioner Bowers seconded the motion. Motion passed unanimously.
4. The Division of Natural Resources proposed to remove the black bass no-harvest regulation from the 12-mile section of the New River from the I-64 bridge at Sandstone to the Grandview Sandbar. Commissioner Burnette made a **MOTION** to approve as submitted. Commissioner Milne seconded the motion. The motion passed.
5. The Division of Natural Resources proposed to establish a river-wide 14" to 22" slot limit with a 6-fish daily creel limit with only one fish allowed over 22" for all black bass in the New River from the confluence of the New and Gauley Rivers upstream to the West Virginia/Virginia state line excluding Bluestone Lake from the dam upstream to the mouth of Indian Creek. Commissioner Burnette made a **MOTION** to approve the above proposal. Commissioner Milne seconded the motion. Motion passed unanimously.
6. The Division of Natural Resources proposes to add the Kanawha River (from the confluence of the Gauley and New Rivers downstream to the Buffalo Bridge) 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. Commissioner Milne made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. Motion passed unanimously.

7. The Division of Natural Resources proposes to remove the trout Catch-and-Release regulation from the 0.9-mile section of Shavers Fork encompassing the Stuart Recreation area. Commissioner Milne made a **MOTION** to approve as submitted. Commissioner Bowers seconded. Commissioner Wilson made an **AMENDMENT to the MOTION** to remove catch-and-release 4.3-mile section on the Cranberry River from the junction of the North and South Forks downstream to the low water bridge at Dogway Fork. Commissioner Chambers seconded the motion. The amendment to the motion passed. Commissioner Bowers made a **MOTION** to approve the motion as amended. Commissioner Milne seconded the motion. The amended motion passed.
8. The Division of Natural Resources proposes to remove Buffalo Creek in Fayette County from the trout Fly-Fishing -Only regulation. Commissioner Bowers made a **MOTION** to approve as submitted. Commissioner Dotson seconded the motion. Motion passed unanimously.
9. The Division of Natural Resources proposes to set a 2-fish daily creel limit for all trout in Stephens Lake in Raleigh County. Commissioner Bowers made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. Motion passed unanimously.
10. All other fishing regulations for 2021 would be the same as those in 2020. Commissioner Milne made a **MOTION** to approve as submitted. Commissioner Bowers seconded the motion. Motion passed unanimously.

APPROVAL OF THE 2021 REPTILE AND AMPHIBIAN REGULATIONS

Kevin Oxenrider reviewed the proposed 2021 Reptile and Amphibian regulations.
(Attachment C)

1. The Division of Natural Resources proposes to add the Blanchard's cricket from (*Acris blanchardi*) and yellow-spotted woodland salamander (*Plethodon pauleyi*) to the existing established season and limits for reptiles and amphibians in West Virginia. Commissioner Dotson made a **MOTION** to approve as submitted. Commissioner Burnette seconded the motion. Motion passed unanimously.
2. The Division of Natural Resources proposes the season be closed, possession limit of zero (0) for all reptile and amphibian species listed on Attachment C. Commissioner Burnette made a **MOTION** to approve as submitted. Commissioner Bowers seconded the motion. Motion passed unanimously.

PUBLIC COMMENTS

Director McDaniel reviewed the public comments received on issues other than lowering the buck limit. (Attachment D)

Charlie Pitrolo stated he is a volunteer hunter safety instructor. He would like the opportunity to present to the commission a proposal for adoption and inclusion of big bore airguns into the hunting regulations.

Joshua Elliott concerned with the continued over regulations of WV's fishery resources. Edward Asher asking DNR to please patrol Spruce Pine Hollow, hearing automatic weapons firing and ATV activity has increased.

VOTE ON LOWERING THE BUCK LIMIT

Commissioner Dotson made a **MOTION** to lower the annual buck limit from the current limit of 3 to 2 except counties designated within the Chronic Wasting Disease (CWD) containment area. Commissioner Burnette seconded the motion. Roll call:

Commissioners Bowers, Burnette and Dotson voted in favor of the motion.

Commissioners Milne, Wilson, Chambers and Cuffaro voted in opposition to the motion. Motion failed to pass.

NEXT MEETING DATE AND PLACE

October 18, 2020, Cacapon Resort State Park, Berkeley Springs, WV

ADJOURN

Commissioner Dotson made a **MOTION** to adjourn. Commissioner Burnette seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 1:51 p.m.

**RECOMMENDATIONS
FOR THE
2021-2022 HUNTING AND TRAPPING REGULATIONS**

**Presented to the
West Virginia Natural Resources Commission
August 2, 2020**

Prepared By:

**West Virginia Division of Natural Resources
Wildlife Resources Section
Game Management Unit**

**RECOMMENDATIONS FOR THE
2021-2022 HUNTING AND TRAPPING REGULATIONS**

1. The Division of Natural Resources proposes that all other small game & furbearer hunting and trapping regulations for the 2021-2022 seasons be open as shown on the attached table.

Favor _____

Oppose _____

**Proposed Opening and Closing Dates for the 2021-2022
Hunting and Trapping Seasons**

Species	Opening & Closing Dates	Comments/Changes
Squirrel	Sept. 11, 2021 - Feb. 28, 2022	
Squirrel (Youth)	Sept. 4 - 5, 2021	
Raccoon (Hunting)	Oct. 16, 2021 - Feb. 28, 2022	
Raccoon (Trapping)	Nov. 6, 2021 - Feb. 28, 2022	
Ruffed Grouse	Oct. 16, 2021 - Feb. 28, 2022	
Quail (Tomblin WMA closed)	Nov. 6, 2021 - Jan. 1, 2022	
Rabbit	Nov. 6, 2021 - Feb. 28, 2022	
Snowshoe Hare	Nov. 6, 2021 - Feb. 28, 2022	
Ring-necked Pheasant (Statewide) (Hillcrest WMA)	Nov. 6, 2021 - Jan. 1, 2022 Nov. 13, 2021 - Dec. 4, 2021	
Fox (Hunting & Trapping) (Hunting at night with artificial light)	Nov. 6, 2021 - Feb. 28, 2022 Jan. 1, 2022 - Feb. 28, 2022	
Bobcat (Hunting & Trapping)	Nov. 6, 2021 - Feb. 28, 2022	
Mink/Muskrat (Trapping)	Nov. 6, 2021 - Feb. 28, 2022	
Fisher (Trapping)	Nov. 6, 2021 - Jan. 31, 2022	
Beaver (Trapping)	Nov. 6, 2021 - Mar. 31, 2022	
Otter (Trapping)	Nov. 6, 2021 - Feb. 28, 2022	
Crow (Hunting)	Oct. 1, 2021 - Nov. 20, 2021 Jan. 1, 2022 - Mar. 5, 2022	
Skunk/Opossum/Coyote/Weasel/ Woodchuck/English Sparrow/European Starling/Pigeon (Hunting)	Continuous Open Season	
Coyote (Hunting at night with artificial light)	Jan. 1, 2022 - Aug 31, 2022	
Skunk/Opossum/Coyote/Weasel (Trapping)	Nov. 6, 2021 - Feb. 28, 2022	
Elk, Song & Insectivorous Birds, Hawks, Owls, Falcons & Eagles	No Open Season	

**RECOMMENDATIONS FOR THE
2021 FISHING REGULATIONS**

Presented to the
West Virginia Natural Resources Commission

Prepared by: West Virginia Division of Natural Resources
Wildlife Resources Section
Fish Management
May 31st, 2020

RECOMMENDATIONS FOR THE 2021 FISHING REGULATIONS

1. The Division of Natural Resources proposes to establish a State-wide 30-fish daily creel and 60-fish possession limit for each of the following fish species: black and white crappie in aggregate, all sunfish species in aggregate, all other gamefish currently not under a creel limit, and yellow perch.

Favor _____

Oppose _____

2. The Division of Natural Resources proposes to remove the 12" size limit for black bass from Wallback Lake.

Favor _____

Oppose _____

3. The Division of Natural Resources proposes to remove the season for dip netting to allow this method to be used year-round.

Favor _____

Oppose _____

4. The Division of Natural Resources proposes to remove the black bass no-harvest regulation from the 12-mile section of the New River from the I-64 bridge at Sandstone to the Grandview Sandbar.

Favor _____

Oppose _____

5. The Division of Natural Resources proposes to establish a river-wide 14" to 22" slot limit with only one fish allowed over 22" for all black bass in the New River from the confluence of the New and Gauley Rivers upstream to the West Virginia/Virginia state line excluding Bluestone lake (from the dam upstream to the Bull Falls public access site).

Favor _____

Oppose _____

6. The Division of Natural Resources proposes to add the Kanawha River (from the confluence of the Gauley and New rivers downstream to the Buffalo Bridge) 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.

Favor _____ Oppose _____

7. The Division of Natural Resources proposes to remove the trout Catch-and-Release regulation from the 0.9-mile section of Shavers Fork encompassing the Stuart Recreation area.

Favor _____ Oppose _____

8. The Division of Natural Resources proposes to remove Buffalo Creek in Fayette County from the trout Fly-Fishing-Only regulation

Favor _____ Oppose _____

9. The Division of Natural Resources proposes to set a 2-fish daily creel limit for all trout in Stephens Lake in Raleigh County.

Favor _____ Oppose _____

10. All other fishing regulations for 2021 would be the same as those in 2020

Favor _____ Oppose _____

**RECOMMENDATIONS FOR THE
2021 REPTILE AND AMPHIBIAN REGULATIONS**

Presented to the
West Virginia Natural Resources Commission

Prepared by: West Virginia Division of Natural Resources
Wildlife Resources Section
Wildlife Diversity Program
May 31, 2020

RECOMMENDATIONS FOR THE 2021 REPTILE AND AMPHIBIAN REGULATIONS

1. The Division of Natural Resources proposes to add the Blanchard's cricket frog (*Acris blanchardi*) and yellow-spotted woodland salamander (*Plethodon pauleyi*) to the existing established seasons and limits for reptiles and amphibians in West Virginia.

Favor _____

Oppose _____

2. The Division of Natural Resources proposes the season be closed, possession limit of zero (0), for all reptile and amphibian species listed below.

Favor _____

Oppose _____

FROGS AND TOADS	SNAKES
Blanchard's cricket frog (<i>Acris blanchardi</i>)	Timber rattlesnake (<i>Crotalus horridus</i>)
Upland chorus frog (<i>Pseudacris feriarum</i>)	Eastern hog-nosed snake (<i>Heterodon platirhinos</i>)
TURTLES	Eastern black kingsnake (<i>Lampropeltis g. niger</i>)
Northern red-bellied cooter (<i>Pseudemys rubriventris</i>)	Smooth greensnake (<i>Opheodrys vernalis</i>)
Eastern box turtle (<i>Terrapene c. carolina</i>)	Northern rough greensnake (<i>Opheodrys a. aestivus</i>)
LIZARDS	Red cornsnake (<i>Pantherophis guttatus</i>)
Eastern six-lined racerunner (<i>Aspidoscelis s. sexlineata</i>)	Northern pinesnake (<i>Pituophis m. melanoleucus</i>)
Northern coal skink (<i>Plestiodon a. anthracinus</i>)	Common ribbonsnake (<i>Thamnophis s. saurita</i>)
Broad-headed skink (<i>Plestiodon laticeps</i>)	Mountain earthsnake (<i>Virginia v. pulchra</i>)
	Eastern smooth earthsnake (<i>Virginia v. valeriae</i>)

Sunday, July 19, 2020

Mr. Stephen McDaniel, Director
West Virginia Division of Natural Resources
324 4th Ave.
South Charleston, WV 25303

Dear Mr. McDaniel,

Greetings from Marion County. My name is Charlie Pitrolo. I am a lifelong resident of West Virginia, retired educator, and hunting enthusiast residing in Fairmont. In the 1980s I began serving as a volunteer hunter safety instructor with the WVDNR, and am currently seeking to renew that pursuit.

The purpose for this writing is to request an opportunity to present to the commission a proposal for adoption and inclusion of big bore airguns into the hunting regulations.

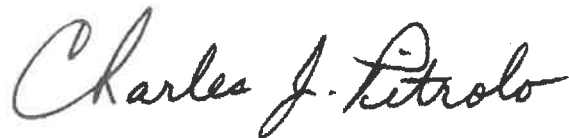
Prepared for the commission is a presentation of mine that can be delivered virtually via social media, electronically, or in hardcopy formats.

It would be my pleasure to be afforded the opportunity to present this information in a format that will accommodate the challenges presented by COVID-19 and social distancing.

I can be reached by mobile phone (voice and text) at 304-534-2669, and by email at cpitrolo@gmail.com. I look forward to hearing from you.

Thank you for your time and consideration. I believe that my proposal holds several benefits that will promote safe and ethical practices for the future of hunting in our wonderful state.

Sincerely,

A handwritten signature in black ink that reads "Charles J. Pitrolo". The signature is written in a cursive style with a small smiley face above the letter 'i' in "Pitrolo".

Charles J. ("Charlie") Pitrolo

Public Comments WV Natural Resource Commission Meeting

Joshua Elliott

1401 Marion Drive

Finleyville, Pa 15332

WV Lifetime License Holder

I am saddened and concerned with the continued overregulation of WV's fishery resources. It is clear that these regulations have nothing to do with wildlife biology and are only being implemented based on perceptions and appearances. WV wants to be more like other states. It wants its regulations to seem "reasonable" to the public while fishermen, especially traditional fishermen, pay the price. Catch and release fishermen are not going to pay the DNR's bills, yet that is who gets catered to more and more. That is not too mention how many anglers will stop fishing (and buying licenses) once they get cited for DNR's ever growing and continually more confusing regulations. This will lead to increased license costs and reduced license sales.

The biggest example of this regulatory overreach is proposed panfish regulation. Not only will the regulation do more harm than good to the fisheries over time, the regulation is WAY too restrictive. 30 panfish a day is just too low. One would have to go multiple times and honestly exceed the possession limit just to have a good old-fashioned fish fry. It doesn't matter if some may think its gratuitous on social media. Ultimately, it has no effect on the fishery. and the people who complain aren't the ones who are progressing the sport and buying licenses and stamps.

I urge you to reconsider this regulation, or at least alter its current form. Why not try a limit on some of the state's larger reservoirs before further implementation? Why not actually present studies to the public on potential effects? Other states have a 50 fish limit. Why not follow their lead if you must have a limit? While I personally don't like any of those options, they are more palatable than the current proposal. I know it would be the last straw for me, and I would no longer purchase any fishing related licenses in the state or promote the states fisheries at all. I would be done, and I am not the only one.

Looney, Lystiann A

From: Edward Asher <ehalla@frontier.com>
Sent: Sunday, July 26, 2020 2:13 PM
To: WVNR Commission
Subject: [External] Fwd: Spruce Pine Hollow/Sleepy Creek connection.

CAUTION: External email. Do not click links or open attachments unless you verify sender.

Sent from my iPhone

Begin forwarded message:

From: Edward Asher <edward.asher@icloud.com>
Date: July 26, 2020 at 2:09:31 PM EDT
To: WVNRCommission@wv.gov
Cc: Edward Asher <ehalla@frontier.com>
Subject: Spruce Pine Hollow/Sleepy Creek connection.

My land abuts your wildlife area in Spruce Pine Hollow. Lately, I can 1. Hear automatic weapons firing close to my land, and 2. ATV activity has increased on my land (even tho posted), apparently back&forth between us. My land goes to the very top of the mountain. I am asking you to please patrol that area to deter these problems? Thank you. Ed Asher. Phone:301-980-6491, email above.

Sent from my iPhone