

REGULATIONS OTHER METHODS OF FISHING

Except as authorized below, it is illegal to take fish by any means other than by rod, line and hooks.

IT IS ILLEGAL TO:

- use a firearm, crossbow, dynamite or any like explosive, or a poisonous mixture placed in the water for the purpose of killing or taking fish, frogs, aquatic turtles or other forms of aquatic life.
- use any free-floating device (jug fishing) used to deploy a hook and line
- fish with more than two (2) lines or poles in an impoundment stocked with trout by the DNR from January 1 – May 31.
- stock fish in the waters of West Virginia. Please do not release unused bait into West Virginia waters.
- sell any fish for profit
- sell or give any legally caught fish to a pay pond
- improperly dispose of, leave on a bank or in the water fish taken while bow fishing.
- fish within 200 feet of Division of Natural Resources personnel who are stocking fish in public waters.

Bow Fishing

Carp may be taken by bow year-round; other nongame fish may be taken by bow during all months of the year except May and June. All anglers must have a valid fishing license in order to fish using a bow. All persons using a bow to fish must observe all applicable fishing regulations.

IT IS ILLEGAL TO:

- use an arrow having an explosive head or shaft or an arrow dipped in or smeared with poison or other chemicals

Dipping

Dipping for nongame fish is legal year-round with a valid West Virginia fishing license. A dip net may not exceed 36 square feet in overall area, and its mesh may not be smaller than one-fourth (1/4) inch.

Gigging, Snagging and Snaring

Suckers, carp, fallfish and creek chubs may be taken by snaring year-round. Nongame fish, certain turtles (see Turtles, Frogs, Toads and Salamander Regulations on page 13) and eels may be taken by gigging, snagging, or snaring from January 1 – May 15 and from July 15 – December 31, except that snagging and gigging shall be prohibited within 100 feet of all U.S. Army Corps of Engineers Locks and Dams and their appurtenances. Snagging of game fish is prohibited.

Hand-Fishing for Catfish

It is legal to hand-fish or “noodle” only for catfish in West Virginia public waters from June 15 to Aug. 31 with fishing permitted from sunrise to sunset. See page 5 for more details.

Hatchery Fish Removal

IT IS ILLEGAL TO:

- take fish, frogs, aquatic turtles or other aquatic life from a state fish hatchery.

Ice Fishing

Holes cut for ice fishing must be no larger than 10 inches in diameter. This applies to public waters where ice fishing is allowed.

Seining for Minnows/ Minnow Traps

Game fish may not be seined or trapped. A seine may be used to obtain minnows for use as bait provided the seine is not longer than eight feet nor deeper than four feet. A thrownet may be used provided the radius is no larger than 12 feet and mesh size no larger than one (1) inch. Minnow traps may be used provided the openings are not larger than one inch in diameter. A person may have in his possession no more than 50 minnows nor more than a total of 100 aquatic animal life (see Turtles, Frogs, Toads and Salamander Regulations on page 13) unless obtained from a licensed dealer and a bill of sale is provided. A valid West Virginia fishing license is needed to collect minnows and other aquatic life. Minnow traps must be tagged with a waterproof, legible tag bearing either the owner’s name and address or his or her WVDNR identification number. Minnow traps must also be checked once every 24 hours.

Trotlines and Droplines

Trotlines and droplines must be attached to the bank or a tree thereon, must bear an identification tag that is legible and waterproof, and must be attended every 24 hours. The tag must either bear the owner’s name and address or his or her WVDNR identification number. Wire or cable lines and hooks with more than one point are prohibited.

IT IS ILLEGAL TO:

- fish with trotlines and droplines in state-managed impoundments except Stonecoal, Hawks Nest, Mt. Storm, Cheat and U.S. Army Corps of Engineers lakes (See chart on pages 20-21 for state-managed lakes.)
- attach a trotline to public piers and docks or within 50 feet of dam appurtenances
- use droplines on the Elk River, Hughes River, Little Kanawha River, Middle Island Creek, and South Fork of Hughes River

Turtle, Frog, Toad and Salamander Regulations

FROGS AND TOADS

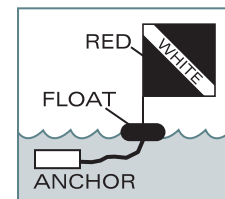
- Green and American bullfrogs: See Regulation Summary, page 2. Residents and non-residents may take or possess green and American bullfrogs.

For all other turtle, frog, toad, and salamander regulations, see the Reptile and Amphibian Regulations.



Spearfishing and Diving

1. Nongame fish may be taken by spearfishing from July 1 – September 30 during daylight hours only.
2. Spearfishing is prohibited on the following:
 - Elk River, from Sutton Dam downstream to the U.S. Route 19 bridge at Sutton;
 - New River, from Bluestone Dam downstream to the lower bridge at Hinton.
3. Spearguns may be discharged only beneath the surface of the water.
4. It is illegal to use a bolt having an explosive head or shaft or a bolt dipped in or smeared with poison or other chemicals.
5. A diver may not spearfish in such a manner as to interfere with other anglers.
6. A diver may not spearfish in heavily-traveled boat lanes, marked swimming areas or marked waterskiing areas.
7. “Diver down flag” shall be a red field of not less than 10 inches x 10 inches dimension with a white diagonal stripe not less than 1.5 inches wide running upper left to lower right. The flag shall be displayed at all times and be affixed to a separate flotation device. No such flag shall be attached to any navigational device or placed so as to obstruct boat traffic. Divers must come up within 100 feet of flag. All powerboats will remain a minimum distance of 100 feet away from the marker flag. The top of the flag shall be at least 3 feet above the surface of the water.
8. Fish taken by spearfishing may not be returned to the water or left on the bank.



WANTON WASTE

It is illegal for any person to cause through carelessness, neglect or otherwise to let any edible portion of any game fish to go to waste needlessly. The edible portion is the fillet meat from the gill plate to the tail fin. Edible meat does not include bones, sinew, viscera, meat from the head or neck, meat that has been damaged or rendered inedible by method of taking, or meat that is reasonably lost as a result of boning or close trimming of bones.

Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not less than \$100 nor more than \$500, or confinement in jail not less than 10 days nor more than 100 days, or both fined and confined; suspension of hunting and fishing license for a period of two years; and a applicable forfeiture and replacement provisions in Chapter 20, Article 2, Section 5a of the code.