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Sequence
 Number: 02-15-10
 Notice ID(s): 1202-1205
 File Date: 02/19/2010

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Wildlife Resources Agency
Division:	Wildlife and Fish Management
Contact Person:	Lisa Crawford
Address:	TWRA, PO Box 40747, Nashville, TN 37204-0747
Phone:	615-781-6606
Email:	Lisa.Crawford@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Stan Powell
Address:	TWRA, PO Box 40747, Nashville, TN 37204-0747
Phone:	615-781-6594
Email:	Stan.Powell@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	TWRA, Region 2 Ray Bell Office Building		
Address 2:	Ellington Agricultural Center, 5105 Edmondson Pike		
City:	Nashville		
Zip:	37211		
Hearing Date :	04/22/2010		
Hearing Time:	9:00 a.m., local time	<input checked="" type="checkbox"/> CST	<input type="checkbox"/> EST

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1660-01-02	Rules and Regulations Governing Birds
Rule Number	Rule Title
1660-01-02-.02	Migratory Bird Hunting

Chapter Number	Chapter Title
1660-01-08	Rules and Regulations Governing Hunts
Rule Number	Rule Title
1660-01-08-.05	Permit Applications and Drawings

Chapter Number	Chapter Title
1660-01-17	Rules and Regulations Governing the Commercial Use of Wildlife
Rule Number	Rule Title
1660-01-17-.01	General Provisions for Commercial Use

Chapter Number	Chapter Title
1660-01-28	Rules and Regulations Governing Licenses, Permits, and Fees
Rule Number	Rule Title
1660-01-28-.01	Basic Resident Licenses and Fees
1660-01-28-.02	Non-Resident Licenses and Fees
1660-01-28-.03	Wildlife Management Area and Designated Area Permits and Fees

Chapter 1660-01-02
Rules and Regulations Governing Birds

Amendment

Rule 1660-01-02-.02, Migratory Bird Hunting, is amended by deleting paragraph (2), subparagraph (e), Bogota Wildlife Management Area (Except Pool 1), in its entirety.

Authority: T.C.A. §70-1-206.

Chapter 1660-01-08
Rules and Regulations Governing Hunts

Amendment

Rule 1660-01-08-.05 Permit Applications and Drawings, Waterfowl Hunt Drawing and Allocation Procedure on Bogota Wildlife Management Area (Except Pool 1), is amended by deleting paragraph (3) in its entirety and inserting a new paragraph (3) to read as follows:

- (3) Waterfowl quota hunt computer drawing and allocation procedures
 - (a) Each individual desiring to participate in a quota waterfowl hunt must make application at times specified and as per instructions supplied by the Tennessee Wildlife Resources Agency.
 - (b) Applicants may apply only once per year. If more than one application is received per hunter, that individual's applications will be rejected.
 - (c) Only applicants sixteen (16) years of age on or before the day of the hunt may apply; however, at least one adult, of at least twenty-one years of age, must accompany any youth under sixteen (16) years of age in the hunt party.
 - (d) All information requested at the time of application must be completed; failure to provide all information will result in the application being rejected.

- (e) The successful applicant may bring three (3) additional hunters of his choice to the hunt. The number of hunters in a party may not exceed four (4), one of which must be the successful applicant.
- (f) Successful applicants must return a "notice of intention" to TWRA two weeks prior to the hunt date. A confirmation number will be issued to the applicant.
- (g) Successful applicants that fail to return the notice of intention to TWRA two weeks prior to the hunt date will forfeit their reservation. Any vacant hunt units will be filled by a hand-held drawing at a time and location specified and as per instructions supplied by the Tennessee Wildlife Resources Agency.
- (h) Each application must be accompanied by a \$10.00 non-refundable handling fee for each applicant, except Sportsman License holders, Lifetime Sportsman License holders and persons possessing an Annual Senior Citizen Permit (type 167).
- (i) Successful applicants and the additional hunters in the party must also possess appropriate licenses and permits in order to participate in the hunts.
- (j) Priority drawings and procedures for qualifying with priority status will be established as indicated by TWRA.
- (k) A computer drawing will be held to determine successful applicants.

Authority: T.C.A. §§70-1-206 and 70-4-107.

Chapter 1660-01-17
 Rules and Regulations Governing the Commercial Use of Wildlife
 Amendment

Rule 1660-01-17-.01, General Provisions for Commercial Use, is amended by deleting paragraph (5) in its entirety and replacing it with the following:

- (5) Live Species That May Be Bought and Sold
 - (a) Legally obtained live crustaceans (crayfish, lobster, etc.) for food.
 - (b) Legally imported and/or propagated amphibians for purposes other than bait.
 - (c) Legally obtained live native and non-native species may be bought and sold as provided by statute, regulation or proclamation.

Statutory Authority: T.C.A. §§70-1-206 and 70-4-107.

Chapter 1660-01-28
 Rules and Regulations Governing Licenses, Permits and Fees
 Amendments

1660-1-28-.01 Basic Resident Licenses and Fees, is hereby amended by adding a Type 23 Resident 1-Day All-Fish License for \$10.50 so that, as amended, the rule shall read:

- (1) Licenses and fees are set out as follows:

Type: Description:

01	Resident Combination Hunting and Fishing License	\$27.00
02	Resident Junior Hunting, Fishing and Trapping License... ..	\$7.00
04	Sportsman License	\$135.00
05	Resident Waterfowl License - Supplemental	\$30.00
09	Resident Big Game Gun License - Supplemental... ..	\$27.00
10	Resident Big Game Archery License - Supplemental... ..	\$27.00
11	Resident Big Game Muzzleloader License - Supplemental	\$27.00
15	Resident Elk License	\$27.00
19	Resident Trapping License	\$27.00
20	Resident County Of Residence Fishing License	\$8.00
21	Resident 1-Day Fishing License	\$5.00
22	Resident Trout License - Supplemental.....	\$17.00
23	Resident 1-day Fishing License- All Species	\$10.50

No resident of Tennessee shall be required to possess any of the licenses listed above when hunting on the 4th Saturday in August, known as free hunting day. Hunting is limited to those species on which there is an open season as proclaimed by the Tennessee Wildlife Resources Commission.

Authority: T.C.A. §§70-1-206.

1660-1-28-.02 Non-Resident Licenses and Fees, is hereby amended by adding a Type 82 Nonresident 1-Day Fishing (no trout) License for \$7.50, a Type 83 Nonresident 1-Day All-fish License for \$15.50, a Type 85 Nonresident 7-Day Junior All Game License for \$24.50; and a Type 86 Nonresident Junior All Game Annual License for \$39.00 so that, as amended, the rule shall read:

1660-1-28-.02 Non-Resident Licenses and Fees

(1) Licenses and fees are set out as follows:

Type: Description:

70	Nonresident Junior Hunting & Fishing License	\$8.00
71	Nonresident Small Game & Waterfowl Hunting License	\$90.00
72	Nonresident 7 Day Small Game & Waterfowl Hunting License....	\$50.00
73	Nonresident All Game Hunting License	\$250.00
74	Nonresident 7-Day All Game Hunting License	\$175.00
75	Nonresident Elk License	\$300.00
76	Nonresident Fishing License - Except Trout.....	\$40.00
77	Nonresident 3-Day Fishing License - Except Trout	\$16.00
78	Nonresident 3-Day Fishing License - All Species.....	\$33.00
79	Nonresident 10 Day Fishing License - Except Trout	\$25.00
80	Nonresident 10 Day Fishing License - All Species.....	\$50.00
81	Nonresident Fishing License - All Species	\$80.00
82	Nonresident 1-Day Fishing License- Except Trout	\$7.50
83	Nonresident 1-Day Fishing License- All Species	\$15.50
85	Nonresident 7-Day Junior All Game Hunting License	\$24.50
86	Nonresident Junior All Game Hunting License	\$39.00

Authority: T.C.A. §§70-1-206.

1660-1-28-.03 Wildlife Management Areas and Designated Area Permits and Fees is hereby amended by changing the Type 97 Nonresident 1-day Gatlinburg Trout Permit to "Resident or Non-Resident 1-Day Gatlinburg Trout License" so that, as amended, the rule shall read:

1660-1-28-.03 Wildlife Management Area & Designated Area Permits and Fees

(1) Permits and fees are set out as follows:

Type: Description:

88	Reelfoot Preservation Permit, 3-Days**	\$10.00
89	Reelfoot Preservation Permit, Annual**	\$16.00
90	Reelfoot Preservation Permit, 1-Day**	\$3.00
91	Designated Area - Combination Waterfowl and Small Game Permit*	\$50.00
92	Designated Area - Combination Waterfowl and Small Game Permit, 1-Day*	\$10.00
93	Designated Area - Small Game Permit – Except Waterfowl – Annual*	\$16.00
94	Designated Non-Quota Big Game Permit – Annual*	\$20.00
95	Cherokee WMA Big Game Permit, Non-Quota*	\$15.00
96	3-Day Gatlinburg Trout Permit	\$9.00
97	Resident or Non-Resident 1-Day Gatlinburg Trout License	\$11.00
98	Tellico/Citico Trout Permit, 1-Day	\$5.00
99	1-Day Gatlinburg Trout Permit	\$3.00
	WMA Quota Hunt Permit*	\$20.00
	Reelfoot Waterfowl Blind Permit*	\$50.00
	Field Trials – WMA (Per Trial)*	\$50.00

* Supplemental

** Supplemental if hunting, fishing or trapping.

No resident of Tennessee shall be required to possess any of the permits listed above when hunting on the 4th Saturday in August, known as free hunting day. Hunting is limited to those species on which there is an open season as proclaimed by the Tennessee Wildlife Resources Commission.

Authority: T.C.A. §§70-1-206.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: _____

Signature: _____

Name of Officer: Ed Carter

Title of Officer: Executive Director

Subscribed and sworn to before me on: _____

Notary Public Signature: _____

My commission expires on: _____

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Filed with the Department of State on: _____

Tre Hargett
Secretary of State