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Sequence Number: 11-22-14
 Notice ID(s): 2274-2278
 File Date: 11/21/14

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:	Director's Office
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:	Rick Pharris
Address:	TWRA, PO Box 40747, Nashville, TN 37204-0747
Phone:	615-781-6594
Email:	Rick.Pharris@tn.gov

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

Address 1:	Discovery Park of America		
Address 2:	830 Everett Boulevard, Reelfoot Room		
City:	Union City, TN 38261		
Zip:	38261		
Hearing Date :	January 16, 2015		
Hearing Time:	9:00 a.m., local time	<input checked="" type="checkbox"/> CST	<input type="checkbox"/> EST

Additional Hearing Information:

<http://www.discoveryparkofamerica.com/visit/directions/>

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
1660-01-05	Rules And Regulations For Fishing
Rule Number	Rule Title
1660-01-05-.03	TWRA Lakes

Chapter Number	Chapter Title
1660-01-14	Rules And Regulations For Refuges, Wildlife Management Areas, And Public Hunting Areas
Rule Number	Rule Title
1660-01-14-.15	Fees for Use of North Cumberland Wildlife Management Area

Chapter Number	Chapter Title
1660-01-25	Rules and Regulations of Governing Special Elk Take Permits
Rule Number	Rule Title
1160-01-25-.01	Special Elk Take Permit

Chapter Number	Chapter Title
1660-01-27	Rules And Regulations For Hunter Education Centers and Public Firing Ranges
Rule Number	Rule Title
1660-01-27-.02	Use Permits - Fees
1660-01-27-.04	Stones River Hunter Education Center, Yanahli WMA and Cheatham WMA Firing Ranges
1660-01-27-.05	Tennessee Wildlife Resources Agency Hunter Education Center and Range Facility
1660-01-27-.06	John Sevier Hunter Education
1660-01-27-.07	Montgomery County Shooting Complex

Chapter Number	Chapter Title
1660-01-28	Rules And Regulations Governing License And Permit 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 & Designated Area Permits and Fees
1660-01-28-.04	Miscellaneous Licenses, Permits and Fees
1660-01-28-.07	Fees for Tier One Hunter Education Centers and Public Firing Ranges
1660-01-28-.08	Fees for Tier Two Hunter Education Centers and Public Firing Ranges
1660-01-28-.09	Fees for Tier Three Hunter Education Centers and Public Firing Range
1660-01-28-.10	Licenses for Hunting, Trapping, and Fishing Guide Services

Amendment

1660-01-05-.03, TWRA Lakes, shall be amended by deleting paragraph (14) in its entirety.

Authority: T.C.A. §§69-9-209, 70-1-206 and 70-4-107. Administrative History: Original rule certified May 8, 1974. Amendment filed June 9, 1978; effective July 10, 1978. Amendment filed May 19 1980; effective July 3, 1980. Repeal and new rule filed February 4, 1983; effective March 7, 1983. Amendment filed February 20, 1986; effective March 22, 1986. Amendment filed June 9, 1986; effective July 9, 1986. Amendment filed February 26, 1987; effective April 12, 1987. Amendment filed April 20, 1988; effective June 4 1988. Amendment filed December 18, 1989; effective February 1, 1990. Amendment filed January 14, 1991; effective February 28, 1991. Amendment filed September 26, 1996; effective December 10, 1996. Amendment filed February 27, 1998; effective May 13 1998. Amendment filed September 4, 1998; effective November 18, 1998. Amendment filed January 5, 2001; effective March 22, 2001. Amendment filed January 3, 2003; effective March 19, 2003. Amendment filed February 10, 2005; effective April 26, 2005. Amendment filed May 12, 2005; effective July 26, 2005. Amendment filed February 9, 2007; effective April 25, 2007. Amendment filed May 31, 2013; effective August 29, 2013.

Amendment

1660-01-14-.15, Fees for Use of North Cumberland Wildlife Management Area, shall be amended by changing the title of the rule to "Impact Fees for Use of Wildlife Management Areas."

Amendment

1660-01-14-.15, Impact Fees for Use of Wildlife Management Areas, shall be amended by deleting paragraph (1) in its entirety and by replacing it with a new paragraph (1) so that, as amended, it shall read:

- (1) A permit is required for horseback riding, bicycling, and off highway vehicle use on Wildlife Management Areas (youths under age thirteen (13) exempted.)

Authority: T.C.A. §§70-1-206 and 70-2-225. Administrative History: Original rule filed August 5, 2002; effective October 19, 2002. Amendment filed September 16, 2003; effective November 30, 2003. Amendment filed February 10, 2005; effective April 26, 2005. Amendment filed June 3, 2008; effective August 17, 2008.

Amendment

1660-01-25-.01, Special Elk Take Permit, is amended by deleting subparagraph (2)(b) in its entirety and inserting a new subparagraph (2)(b) to read as follows:

- (b) The agency shall use a competitive process in compliance with the standards and guidelines established by the State of Tennessee for professional service procurements.

Amendment

1660-01-25-.01, Special Elk Take Permit, is further amended by deleting subparagraph (2)(d) in its entirety and inserting a new subparagraph (2)(d) to read as follows:

- (d) The Executive Director of the agency shall appoint a committee of the agency to examine the proposals or bids and make recommendations to the Executive Director in accordance with state guidelines following the close of the application period. The Executive Director may reject any application that does not conform to the requirements of this section. In selecting an organization, the Executive Director shall consider the qualifications of the organization as a fund raiser; the proposed fund raising plan; the fee charged by the organization for promotional and administrative costs relative to the funds obtained from auctioning the permit; and the organizations' previous involvement with elk conservation.

Statutory Authority: T.C.A. §70-1-206 and §70-2-219. Administrative History: New rule filed May 22, 2008; effective August 5, 2008. Amendment filed July 10, 2009; effective October 8, 2009.

Amendment

1660-01-27-.02, Use Permits - Fees, shall be amended by deleting subparagraphs (a), (b), and (c) in their entirety and by replacing them with new subparagraphs (a), (b), and (c) so that, as amended, the rule shall read:

- (1) Use Permits – Fees
 - (a) Before any adult may shoot at a Hunter Education Center, such adult must possess a valid permit. This permit must be available for inspection while using the range.
 - (b) Permit fees will be established for each individual center.
 - (c) Persons utilizing classrooms or other facilities at hunter education centers will be subject to the same fees as shooters unless waived or otherwise specified in this chapter for a particular range.
 - (d) The Executive Director of the Tennessee Wildlife Resources Agency may allow exceptions to and/or waive use permits and fees for hunter education centers and agency ranges.

Authority: T. C. A. §70-1-206 and §70-2-224. Administrative History: Original rule filed May 31, 2000; effective August 14, 2000. Amendments filed July 11, 2011; effective October 9, 2011.

Repeal

1660-01-27-.04, Stones River Hunter Education Center, Yanahli WMA and Cheatham WMA Firing Ranges, shall be repealed in its entirety.

Authority: T.C.A. §§70-1-206 and 70-2-224. Administrative History: Original rule filed May 31, 2000; effective August 14, 2000. Amendment filed September 15, 2000, effective November 29, 2000. Amendment filed February 10, 2005; effective April 26, 2005. Amendment filed August 19, 2005; effective November 2, 2005. Amendment filed January 2, 2009; effective March 18, 2009.

Repeal

1600-01-27-.05, Tennessee Wildlife Resources Agency Hunter Education Center and Range Facility, shall be repealed in its entirety.

Authority: T.C.A. §§70-1-206 and 70-2-224. Administrative History: Original rule filed May 31, 2000; effective August 14, 200. Amendment filed September 15, 2000, effective November 29, 2000. Amendment filed June 21, 2002; effective September 4, 2002. Amendment filed February 10, 2005; effective April 26, 2005. Amendment filed May 31, 2013; effective August 29, 2013.

Repeal

1660-01-27-.06, John Sevier Hunter Education Center, shall be repealed in its entirety.

Authority: T. C. A. §70-1-206 and §70-2-224. Administrative History: Original rule filed August 8, 2000; effective November 14, 2000. Amendment filed February 10, 2005; effective April 26, 2005.

Repeal

1660-01-27-.07, Montgomery County Shooting Complex, shall be repealed in its entirety.

Authority: T. C. A. §70-1-206 and §70-2-224. Administrative History: Original rule filed January 29, 2007; effective April 14, 2007.

Amendment

1660-01-28-.01, Basic Resident Licenses and Fees, is hereby amended by deleting paragraph (1) in its entirety and replacing it with the following:

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

Type: Description:

01	Resident Combination Hunting and Fishing License	\$33.00
02	Resident Junior Hunting, Fishing and Trapping License.....	\$9.00
04	Sportsman License.....	\$165.00
05	Resident Waterfowl License - Supplemental.....	\$37.00
09	Resident Big Game Gun License - Supplemental.....	\$33.00
10	Resident Big Game Archery License - Supplemental... ..	\$33.00
11	Resident Big Game Muzzleloader License - Supplemental.....	\$33.00
19	Resident Trapping License.....	\$33.00
20	Resident County of Residence Fishing License- Except Trout	\$10.00
21	Resident 1-Day Fishing License- Except Trout.....	\$6.00
22	Resident Trout License - Supplemental	\$21.00
23	Resident 1-day Fishing License- All Species	\$11.00
63	Resident South Holston Reservoir License- Supplemental	\$20.00

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 Fish & Wildlife Commission.

Authority: T.C.A. §70-1-206, §70-2-201, and §70-2-219. Administrative History: Original rule filed February 10, 2005; effective April 26, 2005. Amendment filed July 24, 2006; effective October 7, 2006. Amendment filed January 4, 2008; effective March 19, 2008. Amendment filed June 28, 2010; effective September 26, 2010.

Amendment

1660-01-28-.02, Non-Resident Licenses and Fees, is hereby amended by deleting paragraph (1) in its entirety and replacing it with the following:

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

Type:	Description:	
70	Non-Resident Junior Hunting & Fishing License	\$10.00
71	Non-Resident Small Game & Waterfowl Hunting License	\$110.00
72	Non-Resident 7 Day Small Game & Waterfowl Hunting License	\$61.00
73	Non-Resident All Game Hunting License	\$305.00
74	Non-Resident 7-Day All Game Hunting License	\$214.00
76	Non-Resident Fishing License - Except Trout	\$49.00
77	Non-Resident 3-Day Fishing License - Except Trout	\$20.00
78	Non-Resident 3-Day Fishing License - All Species	\$40.00
79	Non-Resident 10 Day Fishing License - Except Trout	\$30.00
80	Non-Resident 10 Day Fishing License - All Species	\$61.00
81	Non-Resident Fishing License - All Species	\$98.00
85	Non-Resident 7-Day Junior All Game Hunting License	\$26.00
86	Non-Resident Junior All Game Hunting License	\$41.00

Authority: T.C.A. §70-1-206 §70-2-219, §70-2-202. Administrative History: Original rule filed February 10, 2005; effective April 26, 2005. Amendment filed January 4, 2008; effective March 19, 2008. Amendment filed June 28, 2010; effective September 26, 2010.

Amendment

1660-01-28-.03, Wildlife Management Area & Designated Area Permits and Fees, is hereby amended by deleting paragraph (1) in its entirety and replacing it with the following:

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

Type:	Description:	
35	Resident Annual High Impact Habitat Conservation Permit	\$73.00
36	Resident Daily High Impact Habitat Conservation Permit	\$15.00
37	Non-Resident Annual High Impact Habitat Conservation Permit	\$232.00
38	Non-Resident Daily High Impact Habitat Conservation Permit	\$37.00
65	Resident/Non-Resident Bedford Lake 1 Day Fishing Permit	\$6.00
87	Big Game Management Permit*	\$24.00
88	Reelfoot Preservation Permit, 3-Days**	\$12.00
89	Reelfoot Preservation Permit, Annual**	\$20.00
90	Reelfoot Preservation Permit, 1-Day**	\$4.00
91	Designated Area - Combination Waterfowl and Small Game Permit*	\$61.00
92	Designated Area - Combination Waterfowl and Small Game Permit, 1-Day*	\$12.00
93	Designated Area - Small Game Permit – Except Waterfowl – Annual*	\$20.00
94	WMA Big Game Permit – Annual*	\$24.00
95	Cherokee WMA Big Game Permit, Non-Quota*	\$18.00
96	3-Day Gatlinburg Trout Permit	\$11.00

97	Resident or Non-Resident 1-Day Gatlinburg Trout License.....	\$13.00
98	Tellico/Citico Trout Permit, 1-Day.....	\$6.00
99	1-Day Gatlinburg Trout Permit.....	\$4.00
	Quota Hunt Application Fee.....	\$12.00
25	Reelfoot Waterfowl Blind Permit*.....	\$61.00
	Field Trials – WMA (Per Trial)*.....	\$75.00

* 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 Fish & Wildlife Commission.

Authority: T.C.A. §70-1-206, §70-2-219, and §70-2-225. Administrative History: Original rule filed February 10, 2005; effective April 26, 2005. Amendment filed July 24, 2006; effective October 7, 2006. Amendment filed January 22, 2007; effective April 7, 2007. Amendment filed June 28, 2010; effective September 26, 2010. Amendment filed November 17, 2010; effective February 15, 2011.

Amendment

1660-01-28-.04, Miscellaneous Licenses, Permits and Fees, is hereby amended by deleting paragraph (1) in its entirety and replacing it with the following:

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

Type: Description:

06	Migratory Bird Permit (Harvest Inventory Permit).....	\$1.00
07	Facility Fishing License.....	no cost
12	Apprentice Hunter Education Permit.....	\$11.00
13	Hunter Education Field Day Exemption Fee (21 and over).....	\$11.00
100	Resident Senior Commercial Fisher License.....	no cost
101	Resident Commercial Fisher License.....	\$244.00
102	Commercial Helper License - Fishing.....	\$244.00
103	Non-Resident Commercial Fisher License.....	\$1,220.00
105	Resident Commercial Musseler License.....	\$244.00
106	Resident/Non-Resident Commercial Turtle Permit – Supplemental....	no cost
107	Non-Resident Commercial Musseler License.....	\$1,220.00
108	Resident Commercial Roe Fish Permit – Supplemental... ..	\$1,220.00
109	Cultured Pearl License.....	\$1,220.00
110	Non-Resident Commercial Roe Fish Permit, Supplemental.....	\$1,830.00
111	Resident Wholesale Roe Fish Permit.....	\$610.00
112	Non-Resident Wholesale Roe Fish Dealer.....	\$1,220.00
113	Wholesale Fish Dealer's License.....	\$610.00
115	Wholesale Mussel Dealer's License.....	\$610.00
116	Non-Resident Fish Dealer's License.....	\$610.00
117	Falconry General Permit – Supplemental.....	\$73.00
118	Resident Fish Dealer's License.....	\$62.00
119	Resident/Non-Resident Commercial Bow License - Fishing.....	no cost
120	Non-Resident Trapping License.....	\$488.00
121	Resident/Non-resident Fur Buyer License.....	\$183.00
122	Falconry Apprentice Permit – Supplemental.....	\$73.00
123	Falconry Master Permit – Supplemental.....	\$73.00
124	Commercial Wildlife Preserve - Big Game Permit.....	\$366.00
125	Commercial Wildlife Preserve - Small Game Permit.....	\$183.00
141	Taxidermist Permit.....	\$122.00
149	Animal Importation Permit, One Shipment.....	\$31.00
150	Animal Importation Permit, Annual.....	\$244.00
160	Permanent Exhibitor Permit.....	\$1,220.00

161	Temporary Exhibitor Permit.....	\$305.00
164	Resident Senior Citizen Combination Hunting & Fishing License.....	\$4.00
166	Resident Permanent Senior Citizen Combination Hunting & Fishing License.....	\$49.00
167	Resident Annual Senior Citizen Sportsman License.....	\$49.00
168***	Resident Annual Sport Combination Hunting and Fishing License – Certified Physically or Mentally Disabled (under 18).....	\$5.00
169****	Resident Permanent Sport Combination Hunting and Fishing License – Certified Intellectually Disabled	\$10.00
170	Personal Possess Permit, Class I, One Animal,	\$183.00
171	Personal Possess Permit, Class I, Entire Facility,.....	\$1,830.00
172	Personal Possession Permit, Class II, One Animal	\$31.00
173	Personal Possession Permit, Class II, Entire Facility.....	\$305.00
174	Propagation Facility Permit, Small Game/Waterfowl	\$61.00
175	Propagation Facility Permit, Class II, Except Small Game/Waterfowl.....	\$305.00
176	Propagation Facility Permit, Class I	\$3,050.00
189	Resident Permanent Sport Combination Hunting and Fishing License - Permanent Wheelchair Restricted	\$10.00
190	Slat Basket Tag Permit.....	\$10.00
191	Daily TWRA Lake Fishing Permit.....	\$6.00
192	TWRA Lake Boat Rental Permit.....	\$10.00
193	Annual TWRA Lake Fishing Permit.....	\$48.00
194	Replacement License or Permit – Cost for replacement of one license or permit in a single transaction	\$7.00
195	Replacement License or Permit \$1.00 – Cost for replacement of each additional license or permit in a single Type 194 transaction.....	\$1.00
197	Resident Permanent Sport Fishing License - Certified Blind	\$10.00
198	Resident Permanent Sport Combination Hunting and Fishing License (Sport Fishing and Hunting License) - Disabled Veterans	\$10.00
199	Resident Permanent Sport Fishing License – Persons Drawing Social Security Benefits Due to Mental Retardation	\$10.00
500	Hunter Education Replacement Card.....	\$7.00

***Pursuant to T.C.A. §70-2-104(e)(4), it shall be denoted on the license that the hunter is disabled.

**** Pursuant to 2012 Public Chapter 713, it shall be denoted on the license that the hunter is intellectually disabled.

Authority: T.C.A. §70-1-206, §70-2-205, §70-2-208, §70-2-215, §70-2-219, §70-2-220, and §70-2-221.
Administrative History: Original rule filed February 10, 2005; effective April 26, 2005. Amendment filed July 29, 2005; effective October 12, 2005. Amendment filed September 29, 2006; effective December 13, 2006. Amendment filed February 26, 2007; effective May 12, 2007. Amendments filed October 5, 2012; effective January 3, 2013. The Government Operations Committee filed a 29-day stay of the effective date of these rules; new effective date February 1, 2012. Amendment filed November 7, 2012; effective February 5, 2013.

New Rule

1660-01-28-.07, Fees for Tier One Hunter Education Centers and Public Firing Ranges, shall read:

- (1) Tier One Ranges shall include: Cheatham WMA, Catoosa WMA, Prentice Cooper WMA, North Cumberland WMA, Chuck Swan WMA, and Yanahli WMA firing ranges.
 - (a) Use Fees:
 1. Adult (16 years of age and older) - \$5.00 per 2 hours.
 2. Adult Annual Fee (16 years of age and older) - \$100.00.

3. Classroom Fee - \$50.00 per hour or \$150 per day (up to 8 hours.)
4. Surcharge of \$61.00 for after-hour use of facilities in addition to regular rates.

Authority: T.C.A. §§70-1-206 and §70-2-224. Administrative History: Original rule filed May 31, 2000; effective August 14, 2000. Amendment filed September 15, 2000, effective November 29, 2000. Amendment filed February 10, 2005; effective April 26, 2005. Amendment filed August 19, 2005; effective November 2, 2005. Amendment filed January 2, 2009; effective March 18, 2009.

New Rule

1660-01-28-.08, Fees for Tier Two Hunter Education Centers and Public Firing Ranges, shall read:

(1) Fees for Tier Two Ranges:

Tier Two Ranges shall include: Stones River Hunter Education Center and Firing Range and John Sevier Hunter Education Center and Firing Range.

(a) Use Fees:

1. Adult (16 years of age and older) - \$7.50 per 2 hours.
2. Adult Annual Fee (16 years of age and older) - \$150.00.
3. Classroom Fee - \$50.00 per hour or \$150 per day (up to 8 hours.)
4. Surcharge of \$61.00 for after-hour use of facilities in addition to regular rates.

Authority: T. C. A. §70-1-206 and §70-2-224. Administrative History: Original rule filed August 8, 2000; effective November 14, 2000. Amendment filed February 10, 2005; effective April 26, 2005.

New Rule

1660-01-28-.09, Fees for Tier Three Hunter Education Centers and Public Firing Ranges, shall read:

(1) Fees for Tier Three Ranges:

Tier Three Ranges shall include Tennessee Wildlife Resources Agency Hunter Education Center and Firing Range (Bartlett).

(a) Use Fees

1. Adult (16 years of age and older) - \$9.50 per hour.
2. Adult Annual Fee (16 years of age and older) - \$300.00.
3. Classroom Fee - \$50.00 per hour or \$150 per day (up to 8 hours.)
4. Surcharge of \$61.00 for after-hour use of facilities in addition to regular rates.

Authority: T.C.A. §§70-1-206 and §70-2-224. Administrative History: Original rule filed May 31, 2000; effective August 14, 200. Amendment filed September 15, 2000, effective November 29, 2000. Amendment filed June 21, 2002; effective September 4, 2002. Amendment filed February 10, 2005; effective April 26, 2005. Amendment filed May 31, 2013; effective August 29, 2013.

New Rule

1660-01-28-.10, Licenses for Hunting, Trapping, and Fishing Guide Services, shall read:

(1) Licenses are set out as follows:

Type:	Description:
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450 Resident Guide License\$244.00
455 Non-Resident Guide License\$1220.00

A guide is any individual who accepts compensation for providing assistance to another in any act of hunting, fishing and/or trapping and shall be required to possess a guide license.

Entities employing individuals as guides may purchase such resident and non-resident guide licenses as may be necessary for its employees.

Authority: T. C. A. §70-1-206. Administrative History: Original rule filed _____; effective _____.

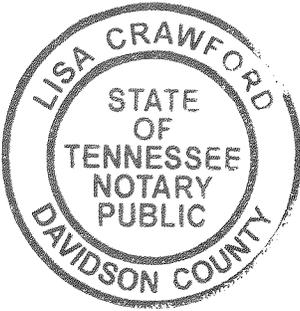
I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 11/21/2014

Signature: Ed Carter

Name of Officer: Ed Carter

Title of Officer: Executive Director



Subscribed and sworn to before me on: 11-21-14

Notary Public Signature: Lisa Crawford

My commission expires on: 5-5-15

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Filed with the Department of State on: 11/21/14

Tre Hargett
Tre Hargett
Secretary of State

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