

04-08

Notice of Rulemaking Hearing
Tennessee Wildlife Resources Commission

There will be a hearing before the Tennessee Wildlife Resources Commission to consider the promulgation of rules, amendments of rules, or repeals of rules pursuant to Tennessee Code Annotated, Section 70-1-206. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Region II Conference Room of the Tennessee Wildlife Resources Agency, Ray Bell Region II Building, 5105 Edmondson Pike, Nashville, Tennessee, at 9:00 a.m., local time, on the 23rd day of June, 2005.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Tennessee Wildlife Resources Agency to discuss any auxiliary aids of services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings), to allow time for the Tennessee Wildlife Resources Agency to determine how it may reasonably provide such aid or service. Initial contact may be made with the Tennessee Wildlife Resources Agency ADA Coordinator, Carolyn Wilson, Room 229, Tennessee Wildlife Resources Agency Building, Ellington Agricultural Center, Nashville, Tennessee 37204, telephone number (615)781-6594.

For a copy of this notice of rulemaking hearing, contact: Sheryl Holtam, Attorney, Tennessee Wildlife Resources Agency, P.O. Box 40747, Nashville, TN 37204, telephone number (615)781-6606.

Substance of Proposed Rules

Chapter 1660-1-27

Rules and Regulations for Hunter Education Centers and Firing Ranges

Amendment

Rule 1660-1-27-.04, STONES RIVER HUNTER EDUCATION CENTER is amended by inserting "AND CHEATHAM WMA FIRING RANGE" immediately following "STONES RIVER HUNTER EDUCATION CENTER" in the title to read as follows:

1660-1-27-.04 STONES RIVER HUNTER EDUCATION CENTER AND CHEATHAM WMA FIRING RANGE.

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

Chapter 1660-1-28
Rules and Regulations Governing Licenses, Permits and Fees

Amendment

1660-1-28-.04 Miscellaneous Licenses, Permits and Fees is hereby amended by changing the amount of the resident commercial fisher license (Type 101), the resident commercial helper license – fishing (Type 102) and the resident commercial musseler license (Type 105) from \$300.00 to \$200.00 so that, as amended, the rule shall read:

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

Type: Description:

06	Migratory Bird Permit (Harvest Inventory Permit).....	\$1.00
101	Resident Commercial Fisher License.....	\$200.00
102	Resident Commercial Helper License - Fishing	\$200.00
103	Nonresident Commercial Fisher License	\$2,000.00
104	Nonresident Commercial Helper License - Fishing.....	\$2,000.00
105	Resident Commercial Musseler License	\$200.00
107	Nonresident Commercial Musseler License	\$2,000.00
108	Resident Commercial Roe Fish Permit – Supplemental... ..	\$1,000.00
109	Cultured Pearl License	\$1,000.00
110	Nonresident Commercial Roe Fish Permit, Supplemental.....	\$1,500.00
111	Resident Wholesale Roe Fish Permit.....	\$500.00
112	Nonresident Wholesale Roe Fish Dealer	\$1,000.00
113	Wholesale Fish Dealer’s License	\$500.00
115	Wholesale Mussel Dealer’s License	\$500.00
116	Nonresident Fish Dealer’s License	\$1,000.00
117	Falconry General Permit – Supplemental	\$60.00
118	Resident Fish Dealer’s License.....	\$50.00
120	Nonresident Trapping License	\$400.00
121	Resident/Non-resident Fur Buyer License	\$150.00
122	Falconry Apprentice Permit – Supplemental	\$60.00
123	Falconry Master Permit – Supplemental.....	\$60.00
124	Commercial Wildlife Preserve - Big Game Permit.....	\$300.00
125	Commercial Wildlife Preserve - Small Game Permit.....	\$150.00
141	Taxidermist Permit.....	\$100.00
149	Animal Importation Permit, One Shipment	\$25.00
150	Animal Importation Permit, Annual.....	\$200.00
160	Permanent Exhibitor Permit.....	\$1,000.00
161	Temporary Exhibitor Permit	\$250.00
166	Resident Senior Citizen’s Permanent License	\$10.00
167	Annual Senior Citizen’s Permit - Supplemental	\$40.00
170	Personal Possess Permit, Class I, One Animal,	\$150.00
171	Personal Possess Permit, Class I, Entire Facility,	\$1,500.00

172	Personal Possession Permit, Class II, One Animal	\$25.00
173	Personal Possession Permit, Class II, Entire Facility.....	\$250.00
174	Propagation Facility Permit, Small Game/Waterfowl.....	\$50.00
175	Propagation Facility Permit, Class II, Except Small Game/Waterfowl	\$250.00
176	Propagation Facility Permit, Class I.....	\$2,500.00
189	Resident Permanent Sport Combination Hunting and Fishing License - Permanent Wheelchair Restricted	\$10.00
190	Slat Basket Tag Permit.....	\$8.00
194	Replacement License or Permit – Cost for replacement of one license or permit in a single transaction	\$6.00
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.....	\$6.00

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

Chapter 1660-2-6
Rules And Regulations Governing Uniform Waterway Marker System

AMENDMENT

Rule 1660-2-6-.01(1) Navigation Aids and Regulatory Markers is amended by deleting paragraph (1) in its entirety and by replacing it with the following:

1660-2-6-.01 NAVIGATOIN AIDS AND REGULATORY MARKERS.

- (1) Lateral navigation markers of the U.S. Aids to Navigation System identify dangerous or controlled areas and guide vessel operators safely along waterways. Green cylinder-shaped buoys and red cone-shaped buoys are used in pairs on well-defined channels, including rivers or other relatively narrow waterways, to indicate that the navigation channel lies between the buoys and boats should pass between them. On irregularly defined channels, solid colored buoys may be used singly in staggered fashion on alternate sides of the channel. They will be spaced at sufficiently close intervals to indicate that the channel lies between the buoys and boats should pass between them. A smaller version of the green cylinder-shaped buoys with a white top and the red cone-shaped buoys with a white top mark secondary channels and boats should pass between them. Red triangle signs and green square signs called daymarks are attached to structures such as posts in the water or on the bank also indicate the

channel. Green buoys with a red stripe or red buoys with a green stripe are junction buoys and indicate two channels coming together.

- (a) The green buoys mark the left side of the channel looking upstream. If they are numbered, they will show odd numbers. Numbers increase in an upstream direction.
- (b) The red buoys mark the right side of the channel looking upstream. If they are numbered, they will show even numbers. Numbers increase in an upstream direction.
- (c) Smaller green cylinder-shaped buoys with a white top mark the left side of the secondary channel looking upstream.
- (d) Smaller red cone-shaped buoys with a white top mark the right side of the secondary channel looking upstream.
- (e) The green daymarks mark the left side of the channel looking upstream. If they are numbered, the numbers are odd and indicate the mile marker.
- (f) The red daymarks mark the right side of the channel looking upstream. If they are numbered, the numbers are even and indicate the mile marker.
- (g) Green buoys with a red horizontal stripe at the topside of the buoy indicate two channels coming together and the preferred channel is to the right of the buoy as you travel upstream.
- (h) Red buoys with a green horizontal stripe at the topside of the buoy indicate two channels coming together and the preferred channel is to the left of the buoy as you travel upstream.
- (i) Where used, lights on these buoys and daymarks are regularly flashing (30 flashes per minute), red lights on red buoys and red daymarks, and green lights on green buoys and green daymarks. A quick-flashing light (60 flashes per minute) has special significance as at sharp turns or sudden constructions in the channel or to mark wrecks or other navigation obstructions.

Rule 1660-2-6-.01(2) is amended by deleting subparagraphs (a), (b), and (c) in their entirety and replacing them with the following:

- (a) A red striped white buoy marks mid-channels and may be passed on either side.

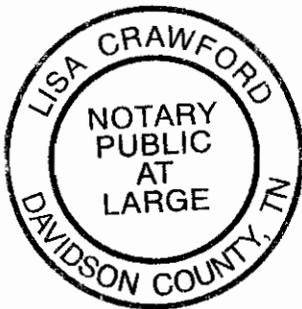
- (b) A black striped white buoy indicates that an obstruction to navigation extends from the nearest shore to the buoy and boats must not pass between the buoy and the nearest shore.
- (c) Where used, lights on the buoys are quick-flashing (60 flashes per minute); red lights on red buoys or daymarks, green lights on green buoys or daymarks, and white lights on other buoys.

Statutory Authority: T.C.A. Sections 70-1-206, 69-9-209.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Wildlife Resources Commission.

Gary T. Myers
 Gary T. Myers, Secretary
 Tennessee Wildlife Resources Commission

Subscribed and sworn to before me this the 19 day of April, 2005.



Lisa Crawford
 Notary Public

My commission expires: 1-26-08

The notice of rulemaking set out herein was properly filed in the Department of State on the 21 day of April, 2005.

Riley C. Darnell
 Riley C. Darnell
 Secretary of State

By: M. Mule

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