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# 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.*

<b>Agency/Board/Commission:</b>	Tennessee Wildlife Resources Agency
<b>Division:</b>	Wildlife
<b>Contact Person:</b>	Lisa Crawford
<b>Address:</b>	TWRA, PO Box 40747, Nashville, TN 37204-0747
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*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:*

<b>ADA Contact:</b>	Carolyn Wilson
<b>Address:</b>	TWRA, PO Box 40747, Nashville, TN 37204-0747
<b>Phone:</b>	615-781-6594
<b>Email:</b>	Carolyn.Wilson@state.tn.us

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

Address 1:	Ellington Hall
Address 2:	Reelfoot Lake State Park Headquarters Visitor Center
City:	2595-A State Route 21E
Zip:	Tiptonville, TN 38079
Hearing Date :	01-22-2009
Hearing Time:	9:00 a.m., local time

**Additional Hearing Information:**

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**Revision Type (check all that apply):**

- Amendment  
 New  
 Repeal

**Rule(s)** (for additional chapters, copy and paste table)

	<b>Chapter Number</b>	<b>Chapter Title</b>
	1660-01-02	Rules and Regulations for Birds
	<b>Rule Number</b>	<b>Rule Title</b>
	1660-01-02-.02	Migratory Bird Hunting

<b>Chapter Number</b>	<b>Chapter Title</b>
1660-01-08	Rules and Regulations of Hunts
<b>Rule Number</b>	<b>Rule Title</b>
1660-01-08-.05	Permit Applications and Drawings

Chapter 1660-01-02  
Rules and Regulations for Birds

Amendment

Rule 1660-01-02-.02(2) Migratory Bird Hunting is amended by deleting Paragraph (c) in its entirety and inserting a new paragraph (c) to read as follows:

(c) Reelfoot Wildlife Management Area

1. Waterfowl hunting on Reelfoot Wildlife Management Area is restricted to hunting from either permanent or temporary blinds as defined herein. For the purpose of this rule, the following definitions apply:
  - (i) A permanent blind is a framed structure as least 4 feet wide, 4 feet high and 8 feet long with walls consisting of netting wire or solid material to which camouflage is or may be attached, which can be hunted from as determined by the area manager, that is constructed on or moved to either a permanent registered blind site, or a permanent draw blind site. The permanent draw blind is further restricted in size so as not to exceed 30 feet in length and not to exceed 300 total square feet as provided in Rule 1660-01-02-.02(1)(c).
  - (ii) A temporary blind is either a structure assembled or placed for one day of waterfowl hunting or boat that is used for one day of waterfowl hunting or, a site consisting of the use of natural vegetation or conditions for concealment for one day of waterfowl hunting.
  - (iii) A permanent registered blind site is a waterfowl hunting blind site registered in 1986 with the Tennessee Wildlife Resources Agency and identified by geographic coordinates in 1995. These sites may not be relocated.
2. Permanent registered blind sites may be registered only by the 1991 registrants.
3. In order to annually register a permanent registered blind site, an individual must purchase a Reelfoot waterfowl blind permit Type 025. Registration may be done either in person at any TWRA License agent location or through certified mail between February 18 and July 31, inclusive. If registration is in person, the registrant must present a photo ID. To complete the registration process, blind holders must send a signed copy of the Type 025 to the TWRA Sales Office postmarked by July 31. If registered through the mail, a signed and notarized affidavit proving identification must be included and the registration must be postmarked between February 18 and July 31, inclusive.
4. A permanent registered blind site holder may annually designate other individuals who may for that season be permitted priority use of their permanent blind site. These persons, hereinafter, will be referred to as sign-ons. The permanent registered blind site holder must obtain a type 026 Reelfoot Sign-on Permit for each individual sign-on. Each Type 026 must be signed and notarized and a photocopy submitted by the blind site registrant. Photocopies of each type 026 must be post marked by July 31 to the TWRA Sales Office.
5. Failure to annually register a permanent registered blind site between February 18 and July 31 shall result in the termination of its status as a permanent registered blind site after which it may be designated as a permanent draw blind site, in the discretion of the area manager or an authorized employee of Tennessee Wildlife Resources Agency.

6. Each permanent registered blind site holder must display, and maintain year-round in a conspicuous location, the appropriate permanent number inside the blind or on a stake with painted numbers which are at least two inches in height. When a floating blind is moved to a permanent registered blind site, the number must be immediately transferred from the stake to the floating blind. No permanent blind may be locked or barricaded to deny access to any portion of the blind used for discharging firearms at game when the blind is not in use. No permanent blind site may be utilized or manipulated in such a manner so as to interfere with the lawful use of the blind or so as to interfere with the lawful taking of wildlife.
7. The permittee, who is the person to whom the Agency issued the permit, must occupy his/her blind by the legal daily opening shooting time on days he/she wishes to hunt, and if the blind is unoccupied at that time by the permittee, the first person or party occupying said blind shall be entitled to the privilege of its exclusive and uninterrupted use until the end of shooting hours that day. Exclusive and uninterrupted use entitles the person or party to the right to exclude all others from the blind, at the person's or party's option, except for law enforcement personnel engaged in the performance of their duties. The permittee has priority use (exclusive and uninterrupted) only if he/she is at the blind on or before the legal daily opening shooting time, regardless of whether or not the blind is occupied by another person or party, provided the permittee produces identification and his/her blind permit.
8. Neither permanent blind site holders nor their sign-ons may compete for nor may they be registered or signed on any other Tennessee Wildlife Resources Agency blind site in the state.
9. Unregistered and/or unnumbered permanent blinds and illegal temporary blinds are subject to removal and/or destruction at the discretion of the area manager or a designee of the Tennessee Wildlife Resources Agency.
10. Each year, a permanent blind must be present or be constructed and/or placed on each permanent registered blind site and on each permanent draw blind site. Completion of blind construction and/or placement on these sites must occur by the fourth Monday in October. Failure to complete construction and/or placement of a permanent blind by the deadline shall result in the termination of its status as a permanent blind site, permitting its use as a site for a temporary blind for the remainder of that hunting season. Thereafter, it may be designated as a permanent draw blind site, at the discretion of the area manager. Camouflage on permanent blind sites must be completed by opening day of the regular waterfowl season. If adverse environmental conditions prevent the construction and/or placement of a blind at the site by the deadline, as determined by the Tennessee Wildlife Resource Agency, the area manager may grant an extension. The area manager must receive a written request for an extension, from the permanent registered blind holder, prior to the fourth Monday in October. Should these adverse environmental conditions persist and completely prevent the construction and/or placement of a blind on the site, as verified by the area manager, the permanent registered blind site will not be terminated. Blinds rendered unusable or destroyed may be repaired or replaced at the discretion of the area manager.
11. Decoys located at permanent blind sites shall be removed by blind holders within fifteen (15) days after the closing date of the final annual waterfowl hunting season. The use or possession of containers made of plastic or metal that are utilized for waterfowl decoys is prohibited while participating in waterfowl hunting on the waters of Reelfoot Lake.
12. No temporary blind shall be placed closer than two hundred (200) yards from a permanent blind site.
13. Persons hunting from temporary blinds must remove all decoys and other blind materials at the end of each day's hunt. No decoys and/or other blind materials may be placed at a temporary blind site and left unattended.
14. No trees, shrubs, or vegetation shall be cut, chemically sprayed, altered, or otherwise destroyed without prior approval of the area manager.
15. Blind owners may not abandon blinds on Reelfoot Wildlife Management Area and are responsible for removing all related materials, including all litter and trash, stakes, weights and

lines. Abandoned blinds and related materials may be removed, destroyed or otherwise disposed of by the area manager or his designee.

16. Any person violating any rule and regulation contained herein, is subject to have his/her blind site permit canceled and/or hunting privileges on Reelfoot Wildlife Management Area revoked in addition to other penalties as prescribed by law.
17. The Wildlife Resources Commission shall review this Rule every four (4) years.

Statutory Authority: T.C.A. §§70-1-206 and 70-5-101

Chapter 1660-01-08  
Rules and Regulations of Hunts

Amendment

Rule 1660-01-08-.05 Permit Applications and Drawings is also amended by inserting new paragraph (6) Special Season Quota first-come first-served permits, so it now reads as follows:

- (6) Special Season Quota First-come, First-served Permits
  - (a) Each individual desiring to participate in a managed big game special season quota hunt must apply only at locations and during periods as designated by the Tennessee Wildlife Resources Agency.
  - (b) Only individuals possessing a valid current Big Game License and youths 10-12 years of age with a valid Hunter Education card may apply. Appropriate fees are required for all special season quota permits unless exempt (Sportsman license holders and persons possessing a type 167 permit).
  - (c) Individuals who qualify to hunt and fish without a license under the terms of T.C.A. 70-2-204 are not required to obtain a permit in order to participate in special season deer or turkey hunts while hunting on lands referred to in T.C.A. 70-2-204.
  - (d) Special Season quotas will be filled by issuing permits to any applicant, on a first-come, first serve basis at Regional Offices, Nashville Office, and at other locations as designated by the Agency. Permits are not transferable.
  - (e) Special Season permits will be issued on a first-come first-serve basis beginning the third Wednesday of August. An individual may obtain up to two (2) permits for him/herself and for up to five (5) other individuals. Individuals may obtain no more than one (1) permit for the same hunt.
  - (f) If permits are left unclaimed prior to the third Wednesday of September, the permits will be treated as leftovers and individuals may obtain up to five (5) permits per person. Individuals may obtain more than one (1) permit for the same hunt. Leftover permits will remain available until December 31st.
  - (g) Quota hunts and permit allocation may be considered separately for each individual big game species.

Authority: T.C.A. §70-1-206.