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Sequence Number: 12-23-20  
Notice ID(s): 3227-3228  
File Date: 12/22/2020

# Notice of Rulemaking Hearing

*Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 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>	Chris Richardson
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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>	Randi S. Tarp
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**Hearing Location(s)** (for additional locations, copy and paste table)

Address 1:	Franklin Marriott Cool Springs
Address 2:	700 Cool Springs Blvd
City:	Franklin, TN
Zip:	37067
Hearing Date:	02/18/2021
Hearing Time:	1:00 p.m. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT

**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
1660-01-02-.03	Falconry

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

## Amendment

Rule 1660-01-02-.02 is deleted in its entirety and replaced with the following:

### **1660-01-02-.02 MIGRATORY BIRD HUNTING.**

- (1) Unless otherwise noted, the following regulations apply to any wildlife management area (WMA) upon which waterfowl hunting is permitted.

(a) For the purpose of this rule the following definitions apply:

1. A designated waterfowl hunt location is a marked location (via physical stake or Global Positioning System [GPS] coordinates) established by the Tennessee Wildlife Resources Agency (TWRA) upon which a permanent blind may be constructed and which is assigned by a random drawing as provided in Rule 1660-01-08-.05. Designated waterfowl hunt locations may be designated as follows:
  - (i) A Tier 1 designated waterfowl hunt location (Tier 1 Location) is a marked location with a permanent blind assigned by a random drawing to a permittee for a full waterfowl hunting season;
  - (ii) A Tier 2 designated waterfowl hunt location (Tier 2 location) is a marked location with a permanent blind assigned by a random drawing to a permittee for a period of time during the waterfowl hunting season;
  - (iii) A Tier 3 designated waterfowl hunt location (Tier 3 Location) is a marked location that may or may not have a permanent blind at the location assigned by a random drawing to a permittee for a period of time during the waterfowl hunting season; and
  - (iv) A Tier 4 designated waterfowl hunt location (Tier 4 Location) is a marked location that may or may not have a permanent blind at the location and which may be hunted on a first-come, first serve basis.
2. A temporary blind is:
  - (i) a structure assembled or placed for one day of waterfowl hunting;
  - (ii) a boat that is used for one day of waterfowl hunting; or
  - (iii) a site consisting of the use of natural vegetation or conditions for concealment for one day of waterfowl hunting.
3. A permanent registered blind site is a permanent blind site registered to a specific individual on Reelfoot Wildlife Management Area or West Sandy Wildlife Management Area identified with geographic coordinates. These sites may not be relocated or transferred to another individual. It is the intent that over time all permanent registered blind sites will be converted to permanent blind sites or temporary blind sites.
4. A permanent blind is a fixed (floating or post type) waterfowl hunting blind constructed at a permanent registered blind site or a designated waterfowl hunt location.
5. A subimpoundment is the water managed by the TWRA or its management partner in association with waterfowl hunting and habitat management.

(b) The following regulations apply to Tier 1 Locations.

1. Tier 1 Locations shall have a permanent blind at the location built and maintained, if a permanent blind already exists at the location, by the permittee(s).
2. The maximum hunt party size for Tier 1 Locations is eight (8) adults, but there is no

maximum size for youth hunters. However, youth hunters must be accompanied by an adult at least eighteen (18) years of age while hunting a Tier 1 Location.

3. All Tier 1 Location permanent blind construction and/or placement must be complete by the fourth Monday in October. To be considered complete, a permanent blind structure must be at least four (4) feet wide, four (4) feet high, and eight (8) feet long, but may not exceed thirty (30) feet in length and may not exceed three hundred (300) total square feet. The walls of the permanent blind structure may consist of netting, wire, or solid material to which camouflage may be attached. A permanent blind structure at a Tier 1 Location must be in place and remain in place throughout the waterfowl season. All camouflage must be completed by opening day of waterfowl season. Permits for Tier 1 Locations will be cancelled if permanent blind structures do not meet the requirements above. If adverse environmental conditions prevent the construction and/or placement of a blind at the site by the deadline, as determined by the TWRA, the area manager may grant an extension. The area manager must receive a written request for an extension, from a permittee, 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, a permittee shall not be denied the opportunity to participate in the drawing the following year. Blinds rendered unusable or destroyed may be repaired or replaced at the discretion of the area manager.
4. Permanent blinds built on Tier 1 Locations must be within five (5) feet of designated stakes or GPS coordinates.
5. Permittee(s) are responsible for removal of all associated blind materials, including all litter and trash, stakes, weights, and lines within fifteen (15) days after the last day of the waterfowl season.
6. A permittee must occupy the Tier 1 Location by the legal daily opening shooting time on days the permittee wishes to hunt, and if the Tier 1 Location is unoccupied at that time by the permittee, the first person or party occupying said Tier 1 Location shall be entitled to the privilege of its exclusive and uninterrupted use until the end of the shooting hours of that day. Exclusive and uninterrupted use entitles the person or party to the right to exclude all others from the Tier 1 Location, 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 use) only if the permittee is at the Tier 1 Location on or before the legal daily opening shooting time, regardless of whether or not the Tier 1 Location is occupied by another person or party, provided the permittee produces identification and the permit.

(c) The following regulations apply to Tier 2 Locations.

1. Tier 2 Locations shall have a permanent blind at the location built and maintained by the TWRA.
2. The maximum hunt party size for Tier 2 Locations is eight (8) adults, but there is no maximum party size for youth hunters. However, youth hunters must be accompanied by an adult at least eighteen (18) years of age while hunting a Tier 2 Location.
3. A permittee must be present any day that a Tier 2 Location is hunted. No other individual may not hunt a Tier 2 Location even if a permittee is not in the blind by the legal daily opening shooting time.
4. Permittee(s) are responsible for removal of all decoys, litter, and trash on the last day of the hunt period.

(d) The following regulations apply to Tier 3 Locations.

1. Tier 3 Locations may or may not have a permanent blind at the location. Permittee(s) may build and maintain a permanent blind on Tier 3 Locations, but such structures



must meet the requirements below. Any permanent blind constructed at a Tier 3 Location must be within five (5) feet of designated stakes or GPS coordinates.

2. Temporary blinds may be used at Tier 3 Locations, but the blinds must be removed at the end of the hunt period. Any temporary blinds or hides and decoys must be removed from the area at the end of shooting each day. All temporary blinds must be within five (5) feet of designated stakes or GPS coordinates.
  3. The maximum hunt party size for Tier 3 Locations is eight (8) adults, but there is no maximum party size for youth hunters. However, youth hunters must be accompanied by an adult at least eighteen (18) years of age while hunting a Tier 3 Location.
  4. Any permanent blind structure constructed at a Tier 3 Location must be at least four (4) feet wide, four (4) feet high, and eight (8) feet long, but may not exceed thirty (30) feet in length and may not exceed three hundred (300) total square feet. The walls of the permanent blind structure may consist of netting, wire, or solid material to which camouflage may be attached. A permanent blind structure at a Tier 3 Location must remain in place throughout the waterfowl season. Permits for Tier 3 Locations will be cancelled if permanent blind structures do not meet the requirements above. Blinds rendered unusable or destroyed may be repaired or replaced at the discretion of the area manager.
  5. A permittee must occupy the Tier 3 Location by the legal daily opening shooting time on days the permittee wishes to hunt, and if the Tier 3 Location is unoccupied at that time by the permittee, the first person or party occupying said Tier 3 Location shall be entitled to the privilege of its exclusive and uninterrupted use until the end of the shooting hours of that day. Exclusive and uninterrupted use entitles the person or party to the right to exclude all others from the Tier 3 Location, 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 use) only if the permittee is at the Tier 3 Location on or before the legal daily opening shooting time, regardless of whether or not the Tier 3 Location is occupied by another person or party, provided the permittee produces identification and the permit.
  6. Permittee(s) are responsible for removal of all decoys, litter, and trash on the last day of the hunt period.
- (e) The following regulations apply to Tier 4 Locations.
1. Tier 4 Locations may or may not have a permanent blind at the location.
  2. Temporary blinds may be used at Tier 4 Locations, but the blinds must be removed at the end of the hunt period. Any temporary blinds or hides and decoys must be removed from the area at the end of shooting each day. All temporary blinds must be within five (5) feet of designated stakes or GPS coordinates.
  3. No permit is required to hunt Tier 4 Locations, but the first person or party to the location before the legal daily opening shooting time has priority use (exclusive and uninterrupted use) of the location until the end of the 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.
  4. The maximum hunt party size for Tier 4 Locations is eight (8) adults, but there is no maximum party size for youth hunters. However, youth hunters must be accompanied by an adult at least eighteen (18) years of age while hunting a Tier 4 Location.
  5. Any person or party hunting a Tier 4 Location is responsible for removal of all decoys, litter, and trash at the end of each day.

- (f) The Tennessee Fish and Wildlife Commission must establish the available designated

waterfowl hunt locations, as determined by the TWRA, as either Tier 1 Locations, Tier 2 Locations, Tier 3 Locations, or Tier 4 Locations prior to or in conjunction with passing the wildlife season setting proclamations every two years. The Tennessee Fish and Wildlife Commission must make this determination at a publicly noticed meeting of the Tennessee Fish and Wildlife Commission.

- (g) By July 31 of each year, the area manager for a WMA will evaluate all permanent blinds on Tier 1 and Tier 2 Locations in the area manager's WMA. The area manager will determine if each blind is usable, unusable, or destroyed. Unusable or destroyed blinds may be repaired or replaced at the discretion of the area manager.
- (h) No waterfowl hunting on Barkley Unit I, Camden B Unit I, Cheatham Lake, Cordell Hull, Gooch- Unit A, Haynes Bottom, Old Hickory - Units I and II, and Woods Reservoir of A.E.D.C. Wildlife Management Areas during the late waterfowl seasons, except from fixed (floating or post type) blinds registered with the TWRA except as provided for in proclamation and as exempted in subparagraphs (h), (i) and (l) below. Permanent blinds and temporary blinds must be within five (5) feet of designated stakes or GPS coordinates. Designated stakes may not be moved without approval of the area manager.
- (i) 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 the shooting hours of 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 use) 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.
- (j) All permanent blinds must be removed from Tier 1 and Tier 3 Locations within ninety (90) days of the end of the Phase 2 waterfowl season. Any blind not removed will become the property of the TWRA for future use and/or destruction.
- (k) If any permittee violates any of the Rules and Regulations contained herein, the permittee is subject to having the permit canceled in addition to the penalty prescribed by law.
- (l) Hunting will be permitted from permanent blinds and temporary blinds on Camden-Unit II, Big Sandy (including Gin Creek Unit), Barkley Unit II, Cordell Hull, Harmon's Creek, Tigrett, and West Sandy in accordance with statewide rules and regulations. Any temporary blinds or hides and decoys must be at least two hundred (200) yards from any permanent blind and must be removed from the area at the end of shooting each day. All permanent blinds must be within five (5) feet of designated stakes.
- (m) Hunting will be permitted from permanent blinds and staked positions for temporary blinds on Old Hickory-Unit I and Unit II. Hunting from temporary blinds is on a first-come, first-serve basis. Any temporary blinds constructed on staked positions and decoys must be removed from the area at the end of shooting hours each day.
- (n) Trespassing or disturbance is prohibited in posted areas during the waterfowl season.
- (o) Beginning on the opening day of the late waterfowl season and continuing until the last day of the late waterfowl season, public access in the subimpoundments of Barkley-Unit I, Cheatham Lake, Haynes Bottom, Old Hickory-Units I and II, Camden Units I and II, Big Sandy, Gooch-Unit A, Tigrett, and West Sandy will only be allowed from 4:00 a.m. until 4:00 p.m.
- (p) Designated waterfowl hunt locations not allocated by draw procedures established by the TWRA or cancelled by TWRA will become temporary blind sites for the quota hunt period. If

a permanent blind site permittee does not meet the deadline for having the blind on site, or violates any other provision of this rule, the permittee forfeits the permittee opportunity to participate in any waterfowl quota hunt drawing the following year.

- (q) The permit holder of a permanent registered blind shall be responsible for blind construction and removal deadlines. The primary waterfowl blind permittee shall be responsible for removal of all associated blind materials, including all litter and trash, stakes, weights, and lines within fifteen (15) days after the last day of waterfowl hunting.
  - (r) No trees, shrubs, or vegetation shall be cut, chemically sprayed, altered, or otherwise destroyed without prior written approval of the area manager. Application to the area manager for any cutting, altering, or spraying must be made prior to the last Saturday in August. Blind holders may conduct agricultural plantings in areas adjacent to their permitted blind sites if written approval in advance is obtained from the areamanager.
- (2) The following regulations apply to the Wildlife Management Area, as indicated:
- (a) A.E.D.C. (except Woods Reservoir), Anderson Tully, Barkley Unit II, Bogota, Thorny Cypress, Cottonport, Yellow Creek, Long Island, Lick Creek Bottoms, New Hope, Percy Priest - Unit II, Candies Creek, Roger's Creek, Johnson Bottoms, Mark's Creek Unit of Cheatham Lake, and areas as specified under proclamation of Cheatham Lake, White Oak, that area of Barkley Reservoir as specified under annual proclamation, that portion of Old Hickory- Unit III, from Mile No. 268 upstream to the abandoned Lock and Dam Site No. 6 at approximately Mile No. 281, Ernest Rice, Sr., Obion River, Moss Island, Gooch- Units B, C and E, Shelby Forest State Park and Wolf River.
    - 1. No permanent blinds allowed.
    - 2. Decoys must be picked up each day.
    - 3. Temporary blinds must be built the day of the hunt and hunters using temporary blinds must remove or destroy such blinds at the end of the day's hunt.
    - 4. On Lick Creek Bottoms WMA, hunt party size is limited to four (4) adults, but there is no maximum party size for youth hunters. However, youth hunters must be accompanied by an adult at least eighteen (18) years of age while hunting on Lick Creek Bottoms WMA.
  - (b) 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 four (4) feet wide, four (4) feet high, and eight (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 designated waterfowl hunt location. A permanent blind is further restricted in size so as not to exceed thirty (30) feet in length and not to exceed three hundred (300) total square feet.
      - (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 TWRA 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 completed in person at any TWRA License agent location, through certified mail, or through the TWRA's online license system. Registration must be completed 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. Type 026 permits may be obtained through the TWRA's online license system. 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 designated waterfowl hunt location, in the discretion of the area manager or an authorized employee of TWRA.
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 participate in the waterfowl quota hunt drawing.
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 TWRA.
10. Each year, a permanent blind must be present or be constructed and/or placed on each permanent registered blind site and on each designated waterfowl hunt location. 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 designated waterfowl hunt location, 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.

(c) West Sandy Wildlife Management Area

1. Waterfowl hunting on West Sandy 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 of a minimum of four (4) feet wide, four (4) feet high, and eight (8) feet long not to exceed thirty (30) feet in length and not to exceed three hundred (300) total square feet, 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, and that is constructed on or moved to either a permanent registered blind site or a designated waterfowl hunt location.
  - (ii) A permanent registered blind site is a waterfowl hunting blind location registered to a specific individual in 2000 by the TWRA and identified with geographic coordinates. These sites may not be relocated or transferred to another individual. It is the intent that over time all permanent registered blind sites will be converted to designated waterfowl hunt locations or temporary blind sites. Prior to the 2001 waterfowl hunting season, the agency will make available to the public, a plat containing the geographic coordinates of each permanent

registered blind site.

- (iii) A temporary blind is either a structure assembled or placed for one day of waterfowl hunting; a 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.
2. Any person who was the primary registrant of a blind at West Sandy during the 1997-98 season may register a permanent registered blind site during the 2000 registration process. The primary registrants of blind sites 0222 and 1902 during the 1996-97 registration will be considered as 1997-98 registrants for the purpose of this Rule. Only one site may be registered per individual. Co-registrants are not permitted. After the initial registration no names may be added nor may the registrant transfer to another site. Permit holders may be deleted from specific sites, either voluntarily or due to cancellation. Individuals registered for a permanent blind site may not be registered on any other blind site within TWRA's blind regulatory process. Registrants must be at least sixteen (16) years of age and possess applicable permit or license. Registrants must appear in person during the 2000 registration and all subsequent annual registrations.
  3. During the last fourteen days of May in the year 2000, all individuals who were registered blind holders during the 1997-98 waterfowl season as specified in Paragraph 2 must have identified for TWRA the specific blind site they have selected for their permanent registered blind site. Failure to select this site will result in the loss of future registration privileges. The permanent registered blind site chosen by that same individual will then be located with geographic coordinates by TWRA. The site will then be initially registered on the first Saturday in August of 2000 by the applicant.
  4. In order to annually register a permanent registered blind site, an individual must purchase a combination waterfowl and small game annual permit or a sportsman's license on or before July 31. By the first Saturday in August, the TWRA will verify whether or not a permanent registered blind site was renewed.
  5. A permanent registered blind site holder may annually designate other individuals who may for that season be permitted priority use of their permanent blind sites. These persons, hereinafter referred to as sign-ons must be identified by July 31.
  6. Failure to annually register a permanent registered blind site by July 31 shall result in the termination of its status as a permanent registered blind site. The TWRA may designate any terminated permanent registered blind site as a designated waterfowl hunt location.
  7. Each permanent registered blind site holder must display, and maintain year-round in a conspicuous location, the appropriate permit 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 entrance to other hunters when the blind is not in use.
  8. 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.



9. Neither permanent registered blind site holders nor their sign-ons may participate in the waterfowl quota hunt drawing.
10. Each year, a permanent blind must be present or be constructed and/or placed on each permanent registered blind site and each designated waterfowl hunt location by the fourth Monday in October and remain in place for the entire waterfowl season. All camouflage must be completed by opening day of waterfowl season. Failure to construct and/or place a permanent blind on a permanent registered blind site by the fourth Monday in October shall result in its termination as a permanent registered blind site, permitting its use as a temporary blind site for the remainder of that hunting season. Thereafter, it may be designated as a designated waterfowl hunt location at the discretion of the area manager. If adverse environmental conditions prevent the construction and/or placement of a blind at the site by the deadline, as determined by the TWRA, the area manager may grant an extension. The area manager must receive a written request for an extension, from the permanent registered blind site holder, prior to the fourth Monday in October. Should these adverse environmental conditions persist and completely prevent the 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. 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 TWRA.
12. No temporary blind shall be placed closer than two hundred (200) yards from a permanent blind site. 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.
13. No trees, shrubs, or vegetation shall be cut, chemically sprayed, altered, or otherwise destroyed without prior written approval of the area manager. Application to the area manager for any cutting, altering, or spraying must be made prior to the last Saturday in August. Blind holders may conduct agricultural plantings in areas adjacent to their permitted blind sites if written approval in advance is obtained from the area manager.
14. Blind owners may not abandon blinds and are responsible for removing all related materials. Abandoned blinds and related materials may be removed, destroyed or otherwise disposed of by the Executive Director or his designee.
15. Any person violating any rule and regulation contained herein, is subject to have his/her blind site permit canceled and/or hunting privileges on West Sandy Wildlife Management Area revoked in addition to other penalties as prescribed by law.
16. Safety concerns require that the Tennessee Valley Authority (TVA) conduct repairs and maintenance to levee and pump house infrastructures that may create water levels incompatible for waterfowl hunting. During such time, the Executive Director shall have the discretion to deem those permanent registered blind sites duly registered during the period of maintenance and repair by TVA while suspending the registration and all other annual requirements of this rule. Further, the Executive Director shall have the discretion to allow those permanent registered blind site holders to compete for or sign on any other TWRA blind sites in the state. Waterfowl blind drawings at this location will be suspended when TVA repair work creates conditions incompatible for waterfowl hunting.

(3) The following regulations apply to TWRA controlled lands not designated as Wildlife Management Areas or Wildlife Refuges, except as otherwise designated:

- (a) No permanent blinds allowed.
- (b) Decoys must be removed at the end of the day's hunt.

- (c) Temporary blinds must be built the day of the hunt and hunters using temporary blinds must remove or destroy such blinds at the end of the day's hunt.
- (4) Special Rules and Regulations - Waterfowl Hunting on Land Between the Lakes
  - (a) Areas closed to waterfowl hunting:
    - 1. Areas above 359' elevation, as posted;
    - 2. Bards Lake;
    - 3. Rushing Bay; and
    - 4. Campgrounds, lake access, and other public use areas and safety zones as posted.

**Authority:** T.C.A. §§ 70-1-206, 70-5-101 and 70-4-107.

#### Amendment

Rule 1660-01-02-.03 is deleted in its entirety and replaced with the following:

#### **1660-01-02-.03 FALCONRY.**

- (1) Definitions:
  - (a) "Raptor" - means a live migratory bird of the family Accipitriformes or the great horned owl (*Bubo virginianus*) of the family Strigidae.
  - (b) "Take" - means to trap or capture, or attempt to trap or capture a raptor for the purpose of falconry.
  - (c) "Falconry" - means the sport of taking quarry by means of a trained raptor.
  - (d) "Service" - means the U.S. Fish and Wildlife Service, U.S. Department of Interior.
  - (e) "State" - means the Tennessee Wildlife Resources Agency.
  - (f) "Bred in captivity" or "captive-bred" - refers to raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.
  - (g) "Captivity" - means a live raptor held in a controlled environment that is intensively manipulated by man for the purpose of producing raptors of selected species, and that has boundaries designated to prevent raptors, eggs or gametes of the selected species from entering or leaving the controlled environment. General characteristics of captivity may include, but are not limited to, artificial housing, waste removal, health care, and protection from predators, and artificially supplied foods.
- (2) Examination - Before any Apprentice Falconry Permit is issued, the applicant shall be required to answer correctly at least 80 percent of the questions on a supervised examination approved by the Service relating to the basic biology, care, and handling of raptors, literature, laws, regulations, and other appropriate subject matter.
- (3) Permit requirement - A valid state falconry permit from Tennessee or another state meeting federal falconry standards is required before any person may take, possess, or transport a raptor for falconry purposes. Falconers from other states must obtain a Tennessee permit within 60 days of Tennessee residency in order to continue the practice of falconry in Tennessee.
- (4) An applicant who wishes to practice falconry must submit an application, with appropriate permit

fee, for a State Falconry Permit to the Executive Director of the Agency.

(5) Permit conditions - Every permit issued shall be subject to the following:

- (a) A permittee may not take, transport, or possess a bald eagle for falconry purposes.

A permittee may trade or transfer a raptor to another permittee if no money or other consideration is involved, except as authorized under state and federal propagation permits. A permittee may trade or transfer a raptor to another permittee in an interstate transaction if prior written approval of the state which issued the permit is obtained, stating that federal and their state legal requirements are being met.

- (b) A permittee may not take, possess, or transport a raptor in violation of restrictions, conditions, and requirements of the Federal or State Falconry Permit Regulations.

- (c) Any change in ownership including, but not limited to, take from the wild, transfer, death, and or escape, shall be reported to the Service electronically at <http://permits.fws.gov/186A> within five (5) working days. A copy of such will be provided to the State within the same amount of time.

(6) Permits will expire on June 30 of the third year from date of issuance.

(7) Classes of permits - Three classes of falconry permits shall be issued, including:

- (a) Apprentice class - Conditions of this class include:

1. An apprentice permittee shall be at least fourteen (14) years old;
2. A sponsor who is a holder of a General or Master Falconry Permit is required for the first two years in which an apprentice permit is held, regardless of the age of the permittee. A sponsor may not have more than three (3) apprentices at one time;
3. An apprentice permittee shall not possess more than one raptor and may not obtain more than one raptor as a replacement bird during any twelve-month period; and
4. An apprentice permittee may only possess a wild American Kestrel (*Falco sparverius*) or a Red-tailed Hawk (*Buteo jamaicensis*) captured by the apprentice, or a captive-bred raptor from a legal source.

- (b) General Class - Conditions of this class include:

1. A general permittee shall be at least eighteen (18) years old;
2. A general permittee shall have at least two years of experience in the practice of falconry at the apprentice level or its equivalent;
3. A general permittee may not possess more than three raptors and may not obtain more than two raptors from the wild as replacement birds during any twelve-month period; and;
4. A general permittee may not take, transport, or possess any species listed as Threatened or Endangered by the Service, except as provided by the State and Federal Falconry Regulations.

- (c) Master Class - Conditions of this class include:

1. An applicant must have at least five years of experience in the practice of falconry at the General class level or its equivalent;
2. A master permittee may not possess more than five raptors, and may not obtain more than two raptors taken from the wild for replacement birds during any twelve-month period;

3. A master permittee may not take, transport or possess any species listed as Endangered by the Service except as provided by the State and Federal Falconry Regulations.
  4. Except as provided by the State and Federal Falconry Regulations, a master permittee may not take, transport, or possess as part of his five-bird limitation, more than one raptor listed as Threatened by the Service and/or State, or listed as In Need of Management by the State, and then only in accordance with Federal Regulations, 50 CFR 17, 21, and 22, and/or current State Proclamation "Proclaiming the Taking of Raptors for the Purpose of Falconry."
- (8) Facilities and equipment - Before any falconry permit is issued, the applicant's raptor housing facilities and falconry equipment shall be inspected and certified by a representative of the Tennessee Wildlife Resources Agency as meeting the following standards:
- (a) Facilities - The primary consideration for raptor housing facilities whether indoors (mews) or outdoors (weathering area) is protection from the environment, predators, or undue disturbance. Applicants shall have the following facilities, except that depending upon climate conditions and sensitivity of the species, only one of the following facilities may be required.
    1. Indoor facilities (mews) shall be large enough to allow easy access for caring for raptors housed in the facility. If more than one raptor is to be housed in the facility, the raptors shall be tethered or separated by partitions and the area for each bird shall be large enough to allow each bird to fully extend its wings. There shall be at least one window, protected on the inside by vertical bars, spaced narrower than the width of the bird's body and a secure door that can be easily closed. The floor of the mews shall permit easy cleaning and shall be well drained. Adequate perches shall be provided.
    2. Outdoor facilities (weathering area) shall be fenced and covered with netting or wire or roofed to protect the birds from disturbances and attack by predators, except that perches more than 62 feet high need not be covered or roofed. The enclosures shall be wide enough to ensure that the birds' wings shall not strike the fence when flying from the perch. Protection from excessive sun, wind, and inclement weather shall be provided for each bird. Adequate perches shall be provided.
  - (b) Equipment – An applicant must possess the following before obtaining a permit:
    1. Jesses - At least one pair of Aylmeri jesses of pliable leather or suitable synthetic material to be used when any raptor is flown free. Traditional type one-piece jesses may be used on raptors when not being flown;
    2. Leashes and swivels - At least one flexible, weather resistant leash and one strong swivel of acceptable falconry design;
    3. Bath container - At least one container, 2 to 6 inches deep and wider than the length of the raptor, for drinking and bathing for each raptor;
    4. Outdoor perches - At least one weathering area perch of an acceptable design shall be provided for each raptor; and,
    5. Weighing device - A reliable scale or balance suitable for weighing the raptor(s) and graduated in increments of not more than 2 ounces (15 grams) shall be provided.
  - (c) Maintenance - All facilities and equipment shall be kept at or above the preceding standards at all times.
  - (d) Transportation - A raptor may be transported or held in temporary facilities, which shall be provided with an adequate perch and protection from extreme temperatures and excessive disturbance, for a period not to exceed thirty (30) days.

- (9) Marking - All raptors held within this state, except those held for scientific, rehabilitation, or zoological purposes, shall have a numbered, seamless, non-reusable marker supplied by the Service and available via the State. In the instance of raptors acquired after the effective date of these regulations, markers shall be attached immediately upon acquisition. Alteration, counterfeiting, or defacing of a marker is prohibited, except that permittees may remove the rear tab on markers and may smooth any imperfect surface, provided that the marker and the number are not affected. Loss or removal of any band must be reported to both the Service and the State within five (5) business days of the loss. The band must be replaced within thirty (30) days by a like band issued by the Service and available through the State.
- (10) Taking restriction - Raptors may be taken only in accordance with the appropriate proclamations promulgated by the Tennessee Wildlife Resources Commission.
- (11) Other restrictions:
- (a) Any person who possesses a lawfully acquired raptor before the effective date of these regulations and who fails to meet the permit requirements shall be allowed to retain the raptors. All such birds shall be identified with markers supplied by the Service and cannot be replaced if death, loss, release, or escape occurs.
  - (b) Any person who possesses raptors before the effective date of these regulations in excess of the number allowed under his class permit shall be allowed to retain the extra raptors. All such raptors shall be identified with markers supplied by the Service, and no additional raptors can be obtained, until the number in possession is at least one less than the total number authorized by the class of permit held by the permittee.
  - (c) A falconry permit holder shall obtain written permission from the State before any species not indigenous to this state is intentionally released to the wild. The marker of any intentionally released bird shall be removed and surrendered to the Tennessee Wildlife Resources Agency upon release. A standard Federal bird band shall be attached to such birds by the state or authorized Federal bird bander whenever possible.
  - (d) A raptor possessed under authority of a falconry permit may be temporarily held by a person other than the permittee for maintenance and care for a period not to exceed thirty (30) days. The raptor must be accompanied at all times by a properly completed form provided by the State/Service designating the person caring for the raptor as the possessor of record and by a signed, dated statement from the permittee authorizing the temporary possession.
  - (e) Feathers that are molted or those feathers from birds held in captivity that die, may be retained and exchanged by permittees only for imping.
- (12) Interstate transport - Non-transfer, interstate import and export conditions follow:
- (a) Non-residents of this state who are permit holders from states which are recognized as falconry states by the Service may transport into this state raptors for personal falconry use (e.g. meets) provided the laws and regulations concerning hunting and falconry are observed, including the purchase of an appropriate Tennessee non-resident hunting license prior to pursuit of wild prey by falconry in Tennessee.
  - (b) Residents of this state who are falconry permittees may transport their raptors into other states that are recognized by the Service as falconry states for personal falconry use, provided all applicable hunting and falconry laws and regulations are observed.

**Authority:** T.C.A. §§ 70-1-206 and 70-4-414.



## Amendment

Rule 1660-01-08-.05 is deleted in its entirety and replaced with the following:

### **1660-01-08-.05 PERMIT APPLICATIONS AND DRAWINGS.**

- (1) Quota Big Game Hunt Drawings
  - (a) Each individual desiring to participate in a managed quota deer, bear, or turkey hunt, must apply only at locations and during periods as designated by the Tennessee Wildlife Resources Agency, except as indicated in items (i), (j), and (k) below.
  - (b) Applicants may submit only one application, except youths six (6) through sixteen (16) years of age may apply for one additional young sportsman hunt on management areas. If an individual's name (except youths applying for one additional young sportsman hunt as noted above) appears on more than one application, that individual will be rejected, the individual's permit fee forfeited, and the individual will be subject to prosecution.
  - (c) For quota big game hunts on wildlife management areas (WMAs), applicants must be at least six (6) years of age prior to the date of the hunt.
  - (d) All information requested on the application must be completed by the applicant. Failure to clearly specify all information will result in an invalid application.
  - (e) Applications must be received by the Tennessee Wildlife Resources Agency as specified on the application. Applications cannot be accepted after the deadline.
  - (f) Persons may apply as an individual or with up to 14 other individuals as a "party". Specific instructions to apply as a party will be available on the Agency's website and available on the Quota Hunt Instruction Sheet, available at license vendors.
  - (g) Each application must be accompanied by a non-refundable handling fee for each applicant, except Sportsman License holders, Lifetime Sportsman License holders and persons possessing an Annual Senior Citizen Sportsman License.
  - (h) Priority drawings and procedures for qualifying with priority status will be established as indicated on applications.
  - (i) A drawing will be held to determine successful applicants. If unfilled hunt quotas exist after the regular drawing a vacancy drawing or drawings will be held to fill those vacancies. Successful and unsuccessful applicants will be notified by mail.
  - (j) When vacancies exist following the drawing(s), quotas will be filled by issuing permits to any applicant, on a first-come, first-served basis at locations designated by the Agency. Permits are not transferable. An individual may obtain only one (1) leftover permit per person and may obtain leftover permits for other individuals (limit of one leftover permit per person) if they provide the required information for individuals they are representing.
  - (k) Land Between the Lakes quota hunt drawings – Individuals desiring to participate in a quota hunt on Land Between the Lakes must submit an application as instructed by the USDA Forest Service.
- (2) Allocation procedures for waterfowl hunting locations not allocated by quota, computerized procedures.
  - (a) Waterfowl hunting locations not allocated through a computerized quota procedure, as set forth in paragraph (3) below will be allocated pursuant to procedures established by the TWRA.
  - (b) Site 22 on Woods Reservoir of A.E.D.C. WMA will not be allocated by any procedure. Site 22 is held by the TWRA and reserved for soldiers stationed at Arnold Air Force Base



pursuant to a wildlife management agreement between the TWRA and Arnold Air Force Base.

(3) Waterfowl quota hunt computer drawing and allocation procedures.

- (a) Permits will be issued via a computerized quota drawing for designated waterfowl hunt locations on WMAs deemed huntable by the TWRA. Any designated waterfowl hunt locations deemed huntable after the end of the quota application period will be issued pursuant to subparagraph (g) below.
- (b) Each individual or party 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.
- (c) Applicants may apply only once per application period. If more than one application is received per hunter, that individual's applications will be rejected.
- (d) Only applicants sixteen (16) years of age or older 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. Youths six to fifteen (6-15) years of age may apply for youth-only waterfowl hunts. If successful, the youth party must be accompanied by at least one non-hunting adult at least eighteen (18) years of age. Party may not exceed eight (8) youths.
- (e) All information requested at the time of application must be completed; failure to provide all information will result in the application being rejected.
- (f) Any successful applicant or successful party member may bring seven (7) additional hunters of to the hunt. However, the number of hunters may not exceed eight (8) hunters at any time during the hunt, one of which must be a successful applicant. The eight (8) person maximum party size limit does not apply to those drawn for Lick Creek Bottoms WMA, pursuant to paragraph (2) above.
- (g) Successful applicants must return a "notice of intention" to TWRA two weeks prior to a deadline established by TWRA. A confirmation number will be issued to the applicant.
- (h) Successful applicants that fail to return the notice of intention to TWRA two weeks prior to the TWRA-established deadline will forfeit their permit and they will be disqualified from entering the following season's drawings. Any leftover permits will be allocated by a drawing at a time and location specified and as per instructions supplied by the TWRA. Any license holder may enter for a leftover drawing, but any applicant drawn must be present at the prescribed time and location to claim the permit.
- (i) Each application must be accompanied by a non-refundable handling fee for each applicant unless the applicant is a Sportsman License holder, Lifetime Sportsman License holder, or an Annual Senior Citizen Sportsman License holder.
- (j) Successful applicants and the additional hunters in the party must also possess appropriate licenses and permits in order to participate in the hunts.
- (k) Individuals holding a permit for a permanent registered blind site on Reelfoot WMA or West Sandy WMA are prohibited from applying, as an individual or in a party, for a Tier 1 Location quota permit. Any permanent registered blind site holder applying, as an individual or in a party, for a Tier 1 Location quota permit will have the individual's application denied and the associated handling fee will be forfeited.
- (l) Priority drawings and procedures for qualifying with priority status will be established by TWRA.
- (m) A computer drawing will be held to determine successful applicants.

- (4) Cherokee Special Hunts (Cherokee Wildlife Management Area in designated Areas).
- (a) Cherokee special hunts consist of Party Dog Hunts.
  - (b) No person may apply on more than one application. If two or more applications are received representing one individual, all applications of that individual will be rejected, the permit fee forfeited, and will be subject to prosecution. Applications must be postmarked no later than the date specified. Persons applying for party hunts may also apply for quota big game hunts subject to rules found in paragraph (1). Quota big game hunt applicants may also apply for party hunts. Persons are limited to one Party Hunt vacancy permit per hunt year.
  - (c) The party application shall contain a minimum of fifty (50) members and a maximum of seventy-five (75). All information requested on the application must be completed for all party applicants. Each applicant must submit the applicable permit fee. All individuals without appropriate licenses/fees will be deleted from the party. Non-residents may purchase the appropriate license after arrival in Tennessee. If the number of valid applicants on a single application falls below the minimum of fifty (50), the entire party will be deleted from the drawing.
  - (d) A drawing will be held to determine the successful party applicants, hunt areas, and hunt dates. The first drawn and in subsequent order will be given their choice of the compartment and hunt date as specified on their application. Vacant hunts remaining after the drawing will not be issued and the area will be closed to big game hunting during that specific hunt.
  - (e) The party leader may request no substitutions for members of the party who cannot appear and may request vacancy permits providing the number does not increase the party beyond seventy-five (75) members. The party leader shall send all the hunter information requested on the vacancy application and the applicable fees for each permit requested. No blank permits will be issued. The deadline for requesting vacancy permits shall be fourteen days prior to the hunt date.
- (5) WMA Quota Hunts First Come, First Served Permits
- (a) WMAs with specific compartments, as identified in proclamation, will have permits allocated through designated locations as authorized by the Tennessee Wildlife Resources Commission.
  - (b) Permits will be issued on a first come, first served basis until all permits have been issued.
  - (c) No individual license holder may obtain more than one (1) permit per hunt.
- (6) Elk Hunt Quota Permits
- (a) Each individual desiring to participate in a quota elk hunt must submit an 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 will be rejected, the individual's fee forfeited, and the individual will be subject to prosecution.
  - (c) A youth hunter at least sixteen (16) years of age on or before the day of the hunt may apply; however, the youth hunter must be accompanied by one non-hunting adult at least twenty-one (21) years of age or older who must remain in position to take immediate control of the firearm.
  - (d) Only one (1) person may apply per application.
  - (e) All information requested at the time of application must be completed; provided, failure to

specify all information will result in the application being rejected.

- (f) Each application must be accompanied by a non-refundable handling fee for each applicant, except Sportsman License holders, Lifetime Sportsman License holders and persons possessing an Annual Senior Citizen Sportsman License.
  - (g) Successful applicants must also possess appropriate licenses and permits in order to participate in the hunts.
  - (h) Successful applicants will not be allowed to re-apply for an elk hunt quota permit for a period of ten (10) years following a successful draw.
  - (i) Priority drawings and procedures for qualifying with priority status will be established as indicated by TWRA.
  - (j) A computer drawing will be held to determine successful applicants.
  - (k) Successful applicants may be subject to hunting in specialized elk zones as designated by the TWRA.
  - (l) Non-resident applicants will be restricted to no greater than twenty-five (25) percent of the drawn permits.
- (7) Issuance of miscellaneous quota permits not governed by existing regulations.
- (a) Special hunts which require hand-held drawings may be identified by means of annual Proclamation, times, dates, and locations of these drawings will also be identified.
  - (b) All information requested on the application must be completed by the applicant.
  - (c) If an individual's name appears on more than one application, that individual will be rejected.
  - (d) A random drawing will be utilized to determine successful applicants.
  - (e) Applications will be drawn in order to establish priorities for choice of designated waterfowl hunt locations. All participants wishing to sign on with a successful applicant must do so when they make their choice of designate waterfowl hunt location. An individual's application for designated waterfowl hunt location selection is immediately voided when the individual signs on with another applicant. All individuals wishing to sign on must possess the necessary licenses and permits indicated in subparagraph (d). Individuals desiring to sign on must be present.
- (8) Sandhill Crane Quota Permit Allocation Procedures.
- (a) Permits will be issued by handheld drawing(s) and/or by a computer drawing to determine successful applicants.
  - (b) Each individual desiring to participate in a quota permit drawing must submit an application during the application period specified and per the instructions supplied by the TWRA.
  - (c) Applicants may submit one application per year per drawing. If more than one application is received per hunter, that individual's applications will be rejected. Successful applicants in one drawing are not eligible to participate in additional drawings. Each applicant must be at least thirteen (13) years of age to participate in the drawing.
  - (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) If a handheld drawing is conducted, a current Hunting & Fishing license and Waterfowl

license (or equivalents) are required to apply. If a computerized drawing is conducted, each application must be accompanied by a non-refundable handling fee, except Sportsman License holders, Lifetime Sportsman License holders and persons possessing an Annual Senior Citizen Sportsman License. Landowners may either have the required license(s) as described above, or if their property is within an area open to sandhill crane hunting, they may claim landowner license exemption by providing a completed, signed Landowner Exemption Statement, available in the Hunting and Trapping Guide.

- (f) If a computerized drawing is conducted, priority drawings and procedures for qualifying with priority status will be established as indicated on the application.
- (g) When permits remain following a handheld drawing, the remaining permits will be added to a computerized draw. When permits remain following a computerized drawing, leftover permits will be available on a first come, first served basis on the Agency website.
- (h) Successful applicants must possess appropriate licenses and permits in order to participate in the hunt(s).
- (i) Successful applicants are required to pass a bird identification test before their permit is issued; specific requirements will be outlined by the Agency.
- (j) Each Sandhill Crane Quota Permit holder is required to complete and submit a Sandhill Crane Post-season Hunt Report. The TWRA must receive the Sandhill Crane Post-season Hunt Report by the required deadline, even if they did not participate in the hunt. Failure to submit a completed report by the required deadline will disqualify them from entering the following season's drawing.

**Authority:** T.C.A. §§ 70-1-206, 70-2-219, 70-4-107, and 70-5-101.

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: 12-22-2020

Signature: Bobby Wilson

Name of Officer: Bobby Wilson

Title of Officer: Executive Director

**Department of State Use Only**

Filed with the Department of State on: 12/22/2020

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Secretary of State

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