

APA-1
Revised 7/2019

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 220 Department or Agency: Conservation and Natural Resources

Rule No.: 220-2-.55

Rule Title: Wildlife Management Areas of Alabama.

New Amend Repeal (of Existing Rule) Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

REC'D & FILED

SEP 12 2023

LEGISLATIVE SVC AGENCY

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Alabama Administrative Procedure Division of the Legislative Services Agency.

Signature of Certifying Officer Charlaine Skaggs
Secretary of Administrative Procedure

Date September 12, 2023

Department of Conservation and Natural Resources
Wildlife & Freshwater Fisheries Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Conservation and Natural Resources

RULE NO. & TITLE: 220-2-.55 Wildlife Management Areas of Alabama.

INTENDED ACTION: Amendment.

SUBSTANCE OF PROPOSED ACTION: To amend paragraph (hh) to clarify it is unlawful to possess any open alcoholic beverages outside designated camping areas. Additionally, to add paragraph (ll), making it unlawful for any unauthorized person to possess or use any game camera/device capable of monitoring remotely and/or capable of automatically transmitting photos and/or videos from March 1-May 31 on any AREA without first obtaining written permission from the Wildlife and Freshwater Fisheries Division. Lastly to add paragraph (mm), making it unlawful for any unauthorized person to launch, land or possess or use any unmanned aerial vehicle (UAV)/drone on any AREA without first obtaining written permission from the Wildlife and Freshwater Fisheries Division.

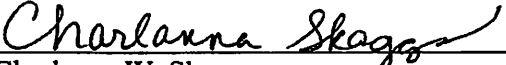
TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of Wildlife & Freshwater Fisheries Division at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of Wildlife & Freshwater Fisheries Division, and then by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Monday, November 6, 2023.

If ADA accommodations are needed, please contact Daisy Perry at (334) 242-3165 or daisy.perry@dcnr.alabama.gov. Requests should be made as soon as possible but at least seven days prior to the date of a personal appearance to present views regarding the proposed rules.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, November 6, 2023.

CONTACT PERSON AT AGENCY: Charles F. Sykes, Director, Wildlife & Freshwater Fisheries Division, 5th Floor, 64 N. Union Street, Montgomery, Alabama 36130, 334-242-3465.


Charlanna W. Skaggs
Secretary of Administrative Procedure

220-2-.55 Wildlife Management Areas of Alabama.

(1) It shall be unlawful on ALL DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, WILDLIFE AND FRESHWATER FISHERIES DIVISION MANAGED WILDLIFE MANAGEMENT AREAS, COMMUNITY HUNTING AREAS, SPECIAL OPPORTUNITY AREAS, PHYSICALLY DISABLED HUNTING AREAS, AND REFUGE AREAS, all of which are established as "Wildlife Management Areas" by Rule 220-2-.22 and all of which are hereinafter sometimes collectively referred to herein as "AREAS" or "AREA":

(a) To hunt; trap; use dogs; or possess firearms (see (b) for exceptions), traps, or bow and arrow, except bow fishing equipment, without a valid Wildlife Management Area (WMA) License (required for deer, turkey, and waterfowl), PLUS the applicable Resident or Non-resident Hunting License [for Alabama residents 16 through 64 years of age and non-residents 16 years of age and older]. Provided however, that properly licensed persons under the "Wildlife Heritage License" may hunt legal small game, except waterfowl, on AREAS without the other licenses described herein unless required for limited quota hunt registration. PLUS, in order to hunt waterfowl on AREAS, all licensed hunters must have, in addition to the otherwise required licenses, a current HIP certification, a valid State Waterfowl Stamp (if required) and a valid Federal Waterfowl Stamp (if required). In addition to license and stamp requirements, an AREA Permit and a WMA Daily Permit are required unless using the Outdoor Alabama WMA Check-In application to check in and out each hunt day. For those using the WMA Daily Permit, the tear-off stub with the number matching the Daily Permit must be deposited in the return slot of the self-service box. The remaining Permit portion is to be retained in possession of the hunter while hunting, filled out completely, and deposited into the return slot of the self-service box at an AREA check station or kiosk for each day hunted.

(b) Nothing in this regulation prohibits the possession of handguns by lawfully authorized persons for personal protection. Refer to 220-2-.126 for Public Shooting Range Regulation pertaining to the use of shooting ranges located on AREAS. All other possession of arms and ammunition must align with scheduled AREA seasons during legal hunting hours and are limited to those permitted for each game species as detailed in this regulation.

(c) To use dogs for stalk hunting of deer or for turkey hunting. (Leashed dogs may be used for the express purpose of retrieving wounded deer, limited to two (2) dogs for each tracking event.)

(d) To use dogs for hunting of feral swine or small game where dogs are expressly prohibited (except for the scheduled special feral swine dog hunt on W.L. Holland and Mobile-Tensaw Delta WMAs).

(e) To use dogs for hunting, training, or any other purpose outside any AREA established season.

(f) To conduct organized man drives during stalk deer hunts outside the hours of 10:00AM – 2:00PM.

(g) For any person under 16 years of age to hunt on any AREA unless accompanied by an adult who is either 21 years of age or older or the parent, and who is in possession of all state hunting licenses, stamps, and permits required to hunt on an AREA.

(h) To exceed daily or seasonal regular state bag limit for any game species unless otherwise specified for AREA.

(i) To have in possession any fully automatic rifle or any firearms, ammunition, or bow and arrow except as described below:

1. DEER: Stalk Hunting – Rifles using centerfire mushrooming ammunition, pre-charged pneumatic arrow shooting rifles using an arrow equipped with a broadhead which has a minimum cutting diameter of 7/8” and two (2) sharpened edges, pre-charged pneumatic air powered guns .30 caliber or larger, shotguns 10 gauge or smaller using slugs or single round balls, muzzle-loading firearms .40 caliber or larger, or handguns or pistols using centerfire mushrooming ammunition. All applicable laws regarding possessing and carrying handguns must be followed.

2. DEER: Stalk Hunting – Primitive Weapons Hunt – Muzzle-loading rifles or muzzle-loading handguns .40 caliber or larger, muzzle-loading shotguns, pre-charged pneumatic arrow shooting rifles using an arrow equipped with a broadhead which has a minimum cutting diameter of 7/8” and two (2) sharpened edges, pre-charged pneumatic air-powered guns .30 caliber or larger, or bow and arrow (including crossbow, see (1)(i)13. below).

3. DEER: Stalk Hunting – Archery – bow and arrow (including crossbows, see (1)(i)13. below).

4. DEER: Dog Hunts – Shotguns 10 gauge or smaller using buckshot only.

5. FERAL SWINE SPECIAL SEASONS: The same provisions as set out in (1)(i)1. and (1)(i)2. above, except at Seven Mile Island where Primitive Weapons Stalk Deer Hunt provisions only apply, as set out in (1)(i)2. above, with the addition of shotguns with slugs. OUTSIDE SPECIAL SEASONS: May be killed during any scheduled AREA hunt using arms and ammunition that are legal for such designated hunts during daylight hours only.

6. TURKEY: Shotguns 10 gauge or smaller using No. 2 shot or smaller and bow and arrow (including crossbows, see (1)(i)13. below).

7. DOVE, WOODCOCK, SNIPE, AND RAIL: Shotguns 10 gauge or smaller, plugged with a one-piece filler incapable of removal without disassembling the gun or

otherwise incapable of holding more than 3 shells, using No. 2 shot or smaller and bow and arrow (including crossbows, see (1)(i)13. below).

8. WATERFOWL & SANDHILL CRANE: Shotguns 10 gauge or smaller, plugged with a one-piece filler incapable of removal without disassembling the gun or otherwise incapable of holding more than 3 shells, using steel shot, T size or smaller and bow and arrow (including crossbows, see (1)(i)13. below). Waterfowl may also be hunted with other U.S. Fish and Wildlife Service approved shot and sizes.

9. QUAIL: Shotguns 10 gauge or smaller using No. 4 shot or smaller and bow and arrow (including crossbows, see (1)(i)13. below).

10. SQUIRREL, CROW, AND RABBIT: Shotguns 10 gauge or smaller using No. 4 shot or smaller, rimfire firearms, muzzle-loading rifles and muzzle-loading handguns .40 caliber or smaller, rifles operated by air, and bow and arrow (including crossbows, see (1)(i)13. below).

11. RACCOON AND OPOSSUM – Daylight hours: Shotguns 10 gauge or smaller using No. 4 shot or smaller, rimfire firearms, and bow and arrow (including crossbows, see (1)(i)13. below). Nighttime hours: Shotguns using No. 4 shot or smaller or .22 caliber rimfire firearms.

12. BOBCAT, COYOTE, AND FOX: May be hunted during any scheduled AREA hunt using weapons and ammunition that are legal for such designated hunts during daylight hours only.

13. BOW AND ARROW (including Crossbows): Conforming to the provisions of Rule 220-2-.03, will be legal on all AREA scheduled hunts. Crossbows will be legal during any open bow and arrow season dates for any species. All archery equipment used during the bow fishing season of March 1 – August 31 must conform to the provisions of Rule 220-2-.46, relating to bow fishing.

14. FALCONRY: Will be legal on all AREA scheduled small game hunts for legally permitted falconers.

15. TRAPPING: Standard .22 caliber or smaller rimfire firearms only (no magnums), during daylight hours only.

(j) To trap furbearers except as permitted under 220-2-.30 and as specified for each AREA in 220-2-.56.

(k) For any person to possess or to carry in or on a vehicle, any of the following: any firearms [including pistols/handguns, except as described in (1)(ii) below] with ammunition in the magazine, breech or clip attached to firearms, or black powder weapons with primer, cap or flash powder in place, or cocked crossbows.

(l) For hunters on dog deer hunts to leave stand assigned to them until instructed. The Geneva State Forest WMA dog hunt will be limited to 100 standers, registered and permitted through a limited quota hunt registration. Further, it shall be unlawful for any hunter to release a dog not approved by Wildlife and Freshwater Fisheries Division (WFF) personnel on the Geneva State Forest WMA during the hunt.

(m) To camp on any AREA except in designated sites. Campers using generators must camp in site designated for generator use. On AREAS located on U. S. Forest Service lands, hunters must camp in designated camping areas, unless excepted by U.S. Forest Service rules specific to a Ranger District. Individuals or groups may camp on AREAS for a period not to exceed nine (9) days in any thirty (30) day period. Campfires must be extinguished before departing. No warming fires shall be permitted away from camping area. All campers (portable shelters on wheels) must be removed from Barbour or Freedom Hills WMAs by sundown on the first Sunday following the last day of turkey season; otherwise, the camper may be towed from the AREA at the owner's expense; or, may be relocated to another portion of the AREA without WFF personnel being responsible for any damages or loss and the owner assessed a \$10.00 a day storage fee. No campers are permitted on Barbour or Freedom Hills WMAs, until September 1, unless approved by written permit issued by the AREA biologist. All campers left unattended overnight must display the owner's contact information to include name, address, and phone numbers.

(n) To kill or willfully molest any species of wildlife except designated game species while legally hunting.

(o) To discharge fireworks at any time.

(p) To discharge firearms for target practice except on designated target ranges in accordance with listed rules during posted times and dates.

(q) To hunt or discharge firearms within 150 yards of any camping area, dwelling, dam, or timber operation; within 100 yards of any paved public road or highway; within a posted safety zone; or from within the right-of-way of any developed road (paved or unpaved) which is open for vehicular traffic [provided, however, that standers hunting the WMA roads closed to vehicular traffic (roads closed with gates and/or signage indicating closed to vehicular traffic) on Geneva State Forest and Upper Delta WMAs are allowed during scheduled dog deer hunts; hunters using shotguns with No. 6 shot or smaller are allowed to hunt AREA roads and right-of-ways, excluding any named county or state roads]. On AREAS located within U.S. Forest Service lands, hunters must adhere to U.S. Forest Service rules specific to that Ranger District.

(r) To transport harvested deer or turkey from any AREA before reporting harvest in the Game Check System. Hunters must also submit such harvests at the WMA check station for data collection if hunt date is indicated as a mandatory check station day on the Outdoor Alabama WMA Application or AREA Permit. All other harvested game must be recorded on the Outdoor Alabama WMA Application or WMA Daily Permit.

(s) For any person, except authorized personnel, to operate any motor driven vehicle behind, under, or around any locked gate, barricaded road, or sign which prohibits vehicular traffic. Individuals with a mobility disability may request authorization in writing to use motorized vehicles or other power-driven mobility devices on AREAS. Such request will be evaluated based on the provisions of the Americans with Disabilities Act of 1990, as amended, and 28 C.F.R. § 35.137.

(t) For any unauthorized person to possess and/or operate ANY UNLICENSED MOTOR DRIVEN VEHICLE (i.e. ATV, UTV, motorcycle, or electric-powered bike) on Charles D. Kelley-Autauga, Black Warrior, Blue Spring, Boggy Hollow, William R. Ireland, Sr. – Cahaba River, Choccolocco, Coosa, David K. Nelson, Hollins, Jackson County Waterfowl Areas (except Coon Gulf Tract), Little River, Lowndes, Martin Community Hunting Area, Mulberry Fork, Oakmulgee, Perdido River, Red Hills, and Forever Wild Gothard – AWF Yates Lake AREAS.

(u) For any unauthorized person to possess or operate ANY UNLICENSED MOTOR DRIVEN VEHICLE on Barbour, Coon Gulf Tract of Jackson County Waterfowl Areas, Freedom Hills, Geneva State Forest, Grand Bay Savanna, James D. Martin-Skyline, Lauderdale, Mobile-Tensaw Delta, W.L. Holland, Sam R. Murphy, Riverton, Seven Mile Island, Swan Creek, Mallard Fox Creek, and Upper Delta AREAS, except when utilized for the express purpose of hunting, fishing, trapping, camping, or related activities; and when operated only on regularly used roads depicted on WMA map to be open for motorized vehicle traffic (excluding Geneva State Forest Zone B).

(v) For any unauthorized person to possess or operate ANY LICENSED MOTOR DRIVEN VEHICLE on any AREA, except when utilized for the express purpose of hunting, fishing, trapping, camping, or sanctioned activities (excluding AREAS established within the boundaries of U.S. Forest Service National Forests or other cooperating agency lands that otherwise regulate such activities); and when operated only on regularly used roads depicted on AREA Permit to be open for motorized vehicle traffic.

(w) For any unauthorized person to ride or possess horses on any AREA except on roads open to motorized vehicles, excluding Charles D. Kelley-Autauga and Geneva State Forest Zone A (where no horses are permitted); and in areas, roads, and trails, designated as open to horses, excluding Charles D. Kelley-Autauga and Geneva State Forest Zone A (where no horses are permitted). On Coosa WMA horses are not permitted in the campgrounds from October 1 until after the last day of turkey season.

(x) For any unauthorized person to ride or possess horses on any AREA on days of scheduled gun deer hunts and during legal hours of turkey hunting, except those portions of AREAS kept open to such activity by the National Park Service, U. S. Forest Service, and except on Freedom Hills, James D. Martin-Skyline, the Jacinto Port Tract of W.L. Holland, and Mobile-Tensaw Delta AREAS where horses are only allowed on designated horse trails. At Freedom Hills, the Jacinto Port Tract of W.L. Holland, and Mobile-Tensaw Delta AREAS horses are only allowed from March 1 to the beginning of turkey season and May 15 to September 14. Riding or possession of horses on any AREA, except those on

National Park Service lands, U.S. Forest Service lands, and Geneva State Forest, shall be restricted to holders of a valid WMA license and a valid AREA Permit.

(y) For any person to hunt or trap any wildlife species (except turkey, migratory birds, and while hunting legally designated species during legal nighttime hours) without wearing a minimum of 144 square inches of hunter orange or full sized hunter orange hat, except when hunting from an elevated tree stand twelve (12) feet or more from the ground, when hunting in an enclosed blind, or when traveling in an enclosed vehicle. A small logo and/or printing is permitted on the front of the hunter orange hat.

(z) For any person except authorized personnel to block or otherwise stop traffic on any road or at any gate by parking a vehicle in such a way that passage around the vehicle, or access to the gate, is impeded.

(aa) For any person to possess, deposit, distribute, or scatter grain/corn, salt, litter, or any other materials on any AREA without receiving written approval from the Wildlife and Freshwater Fisheries Division.

(bb) To damage or remove any artifacts, trees, firewood, plants, dirt, gravel, or sod without legal authorization.

(cc) To erect any permanent tree stand; install any screw-in type steps, spikes, or nails; or otherwise damage any tree.

(dd) To intentionally cast a light of any kind, either handheld, affixed to a vehicle, or otherwise, between the hours of sunset and sunrise from motor vehicles except those vehicles traveling in a normal manner on an open established road.

(ee) To hunt from an elevated stand or platform without attaching themselves to the tree or platform with a full body safety harness capable of supporting their weight.

(ff) To violate any restrictions posted on the Outdoor Alabama WMA Check-In application, AREA Permit, or WMA Daily Permit, or posted restrictions regarding entry, hunting, fishing, or other conduct.

(gg) To release any animal, bird, fish, or other wildlife on any AREA without first obtaining written permission from the Wildlife and Freshwater Fisheries Division.

(hh) To possess any open alcoholic beverages outside designated camping areas. ~~Possession of alcoholic beverages shall be prohibited on the campgrounds of the Coosa WMA.~~

(ii) For any person to possess any firearm while hunting with bow and arrow or crossbow, except on days of hunter's choice gun deer hunts. Nothing in this regulation prohibits the possession of handguns by lawfully authorized persons for personal

protection, provided the handguns are not used to hunt, take, or attempt to take wildlife except as otherwise provided by this regulation.

(jj) To possess or use any wild turkey calls to mimic sounds made by wild turkeys from March 1 until the opening day of youth turkey seasons and from the close of youth turkey season to the opening day of physically disabled turkey season or regular turkey season opening day on AREAs with turkey seasons.

(kk) For anyone 16 years of age or older to hunt any species on any AREA on days of youth gun deer hunts, or for anyone to hunt small game during primitive weapon or gun deer hunts, except on Grand Bay Savanna, W.L. Holland, and Mobile-Tensaw Delta WMAs, and except waterfowl in Upper Delta (Zone B) WMA.

(ll) For any unauthorized person to possess or use any game camera/device capable of monitoring remotely and/or capable of automatically transmitting photos and/or videos from March 1-May 31 on any AREA without first obtaining written permission from the Wildlife and Freshwater Fisheries Division.

(mm) For any unauthorized person to launch, land or possess or use any unmanned aerial vehicle (UAV)/drone on any AREA without first obtaining written permission from the Wildlife and Freshwater Fisheries Division.

(2) Individuals must follow the listed rules to participate in the scheduled youth hunts on any AREA.

(a) Youth participants must be accompanied by an adult supervisor. The adult supervisor is to remain within 30 feet of the youth at all times.

(b) Youth is defined as those individuals who have not reached their 16th birthday.

(c) Adult is defined as those individuals 21 years of age or older or the parent of the youth who are in possession of all required state hunting licenses, stamps, and permits as described in (1)(a).

(d) Only one firearm will be allowed for each youth. Only the youth hunter will be permitted to utilize the firearm for hunting.

(3) Special Opportunity Areas (SOA) – Hunting on Blackwater River, Cedar Creek, Choctaw NWR (Primitive Weapon Deer Hunt), Crow Creek, Fred T. Stimpson, Portland Landing, Prairie Glades, Uchee Creek, Upper State, Little River, and Thigpen Hill Special Opportunity Areas (SOA) will be permitted through a limited quota permit system determined by random computerized selection. In order to apply, ALL applicants are required to obtain a Conservation Identification Number (CID). Those residents who are 16 to 64 years of age and non-residents 16 years of age or older must have a valid WMA license to register for the SOA hunt selection process. Applicants must visit

www.outdooralabama.com to register for a limited number of quota permits available for hunts on these AREAS.

Successful resident applicants 16 to 64 years of age and non-residents 16 years of age or older must obtain and have in possession a valid Alabama hunting license, WMA license, and state and federal duck stamps if applicable. **Any violation of any rules, regulations, or laws by permit holder or guest while hunting on any SOA will result in those individuals forfeiting the remainder of their hunt and forfeiting their SOA eligibility for the remainder of the current season and the entire following season.** Failure to participate in the solicited hunt without providing Wildlife and Freshwater Fisheries 7 days prior notice of cancellation, by email to the hunt coordinator, will result in that individual losing their eligibility for future SOA hunts.

Permit holders and guests shall only hunt and scout in their assigned hunt unit(s) on specified dates. All other access on any SOA is restricted (excluding Choctaw NWR) to foot traffic and non-motorized vehicles only and only during daylight hours from May 15 to September 1; with the exception of Crow Creek, Fred T. Stimpson, Upper State, and Prairie Glades where all other access is restricted.

All deer and turkey hunters are required to report all harvests pursuant to the Game Check requirements in regulation 220-2-.146. It shall be unlawful for any limited quota permitted hunter to hunt without checking in and out of the SOA daily using the Outdoor Alabama WMA Check-In Application or with a WMA Daily Permit from self-service kiosk. When using the WMA Daily Permit, the tear-off stub with number matching Daily Permit must be filled out and deposited in return slot of self-service box. The Harvest Report portion of the Permit is to be retained in possession of the hunter until the end of the day, then filled out and deposited in the self-service box before leaving the SOA each day. Hunters are required to email pictures of their harvest to the managing biologist within one week of hunt dates.

Other requirements for hunters participating in limited quota hunts on the SOAs include:

(a) **District II –**

1. **On Crow Creek SOA:**

(i) **Archery Deer Hunts:**

(I) It shall be unlawful to access or hunt on Crow Creek SOA unless selected for a limited quota permit for specific hunt dates on the assigned hunt unit. The permit holder and one properly licensed guest may only access (excluding approved scouting days) and hunt the assigned hunt unit for those permitted times and days.

(II) Hunters may enter the Crow Creek SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset; Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(III) It shall be unlawful to operate any motorized vehicle on the SOA without WFF written authorization.

(IV) It shall be unlawful to use gasoline-powered motors on the SOA.

(V) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(ii) Waterfowl Hunts:

(I) It shall be unlawful to access or hunt on Crow Creek SOA unless selected for a limited quota permit for specific hunt dates on the assigned SOA and hunt unit(s). The permit holder and four properly licensed guest(s) may only access (excluding approved scouting days) and hunt the assigned SOA and hunt unit(s) for those permitted times and days. The guests may be different people each hunt day.

(II) Hunters may enter the Crow Creek SOA at 4:00 AM; Hunting may begin at legal shooting hours; all hunting activity is prohibited after 12:00 noon; and all parties must exit the SOA no later than 1:30 PM. It shall be unlawful to leave assigned hunt unit except when departing the SOA for the day.

(III) It shall be unlawful to operate any motorized vehicle on the SOA without WFF written authorization.

(IV) It shall be unlawful to use gasoline-powered motors on the SOA.

(V) Temporary blinds may be used for the duration of the hunt and must be removed by permit holder on last hunt day.

(b) **District III –**

1. **On Cedar Creek and Portland Landing SOA:**

(i) It shall be unlawful to hunt on Cedar Creek and Portland Landing SOA unless selected for a limited quota permit for specific hunt dates on the assigned SOA and hunt unit(s). The permit holder and allowed guest(s) may only access (excluding approved scouting days) and hunt the assigned SOA and hunt unit(s) for those permitted days.

(ii) Deer Hunts:

(I) Each deer hunt begins at 12:00 noon on day one and ends at 12:00 noon on day four. With the exception of the day one start time and day four end time, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(II) Antlered bucks harvested are required to have a minimum inside spread of 16" or 18" main beam (3x the length of the ear).

(III) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(IV) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from deer harvested and leave it at SOA kiosk.

(iii) Youth Gun (Antlerless) Deer Hunts:

(I) Permit holder 21 years of age or older or the parent of one of the youth may be accompanied by up to two youth guest hunters. The permit holder may also have a properly licensed supervising adult being 21 years of age or older or a parent of one of the youth. Hunters may only hunt in their assigned hunt unit on their specified hunt date. Only the youth may hunt.

(II) On the specified two-day hunt, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(III) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from each deer harvested and leave it at SOA kiosk.

(iv) Turkey Hunts:

(I) Hunters may enter the SOA 1½ hours prior to legal sunrise; each turkey hunt begins at and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset; each turkey hunt ends at 1:30 PM on the last day.

(II) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(III) Turkey hunters are required to record the harvest date, body weight, spur length, and beard length of all harvested turkeys on provided data forms, as well as complete the provided hunter observation data sheet.

(v) Small Game Hunts:

(I) Hunters may enter the SOA 1½ hours prior to legal sunrise; each small game hunt begins and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset. No scouting days prior to hunt dates.

(II) Permit holder may be accompanied by up to three properly licensed guests. The guests may be different people each hunt day.

(vi) **Waterfowl Hunts:**

(I) Hunters may enter the Portland Landing SOA (no waterfowl hunt on Cedar Creek SOA) at 4:00 AM; Hunting may begin at legal shooting hours; all hunting activity is prohibited after 12:00 noon; and all parties must exit the SOA no later than 1:30 PM. It shall be unlawful to leave assigned hunt unit except when departing the SOA for the day.

(II) Permit holder may be accompanied by three properly licensed guests. Guests may be different people each hunt day.

(c) **District IV –**

1. **On Uchee Creek SOA:**

(i) It shall be unlawful to hunt on Uchee Creek SOA unless selected for a limited quota permit for specific hunt dates on the assigned SOA and hunt unit(s). The permit holder and allowed guest(s) may only access (excluding approved scouting days) and hunt the assigned SOA and hunt unit(s) for those permitted days.

(ii) **Deer Hunts:**

(I) Each deer hunt begins at 12:00 noon on day one and ends at 12:00 noon on day four. With the exception of the day one start time and day four end time, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(II) Antlered bucks harvested are required to have a minimum inside spread of 16” or 18” main beam (3x the length of the ear).

(III) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(IV) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from deer harvested and leave it at SOA kiosk.

(iii) **Youth Gun (Antlerless) Deer Hunts:**

(I) Permit holder 21 years of age or older or the parent of one of the youth may be accompanied by up to two youth guest hunters. The permit holder may also have a properly licensed supervising adult being 21 years of age or older or a parent of one of the youth. Hunters may only hunt in their assigned hunt unit on their specified hunt date. Only the youth may hunt.

(II) On the specified two-day hunt, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(III) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurement of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from each deer harvested and leave it at SOA kiosk.

(iv) Turkey Hunts:

(I) Hunters may enter the SOA 1½ hours prior to legal sunrise; each turkey hunt begins and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset; each turkey hunt ends at 1:30 PM on the last day.

(II) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(III) Turkey hunters are required to record the harvest date, body weight, spur length, and beard length of all harvested turkeys on provided data forms, as well as complete the provided hunter observation data sheet.

(v) Small Game Hunts:

(I) Hunters may enter the SOA 1½ hours prior to legal sunrise; each small game hunt begins and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset. No scouting days prior to hunt dates.

(II) Permit holder may be accompanied by up to three properly licensed guests. The guests may be different people each hunt day.

(vi) Waterfowl Hunts:

(I) Hunters may enter the SOA at 4:00 AM; hunting may begin at legal shooting hours; all hunting activity is prohibited after 12:00 noon; and all parties must exit the SOA no later than 1:30 PM. It shall be unlawful to leave assigned hunt unit except when departing the SOA for the day.

(II) Permit holder may be accompanied by three properly licensed guests. Guests may be different people each hunt day.

2. On Prairie Glades SOA:

(i) It shall be unlawful to access or hunt on Prairie Glades SOA unless selected for a limited quota permit for specific hunt dates on assigned SOA and hunt unit(s). The permit holder and one guest may only access (excluding approved scouting days) and hunt the assigned SOA and hunt unit(s) for those permitted days.

(ii) Deer Hunts:

(I) Hunters may enter the Prairie Glades SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset; hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(iii) Dove Hunts:

(I) Travel to assigned hunt unit(s) shall be from 12:00 noon to 1:00 PM during the first season segment (September and October) and 11:00 AM to 12:00 noon during the second and third season segments (November, December, and January). All hunts end at legal sunset.

(II) Permit holder is allowed one properly licensed guest.

(d) **District V –**

1. On Blackwater River SOA:

(i) It shall be unlawful to hunt on Blackwater River SOA unless selected for a limited quota permit for specific hunt dates on the assigned SOA and hunt unit(s). The permit holder and allowed guest(s) may only access (excluding approved scouting days) and hunt the assigned SOA and hunt unit(s) for those permitted days.

(ii) Deer Hunts:

(I) Each deer hunt begins at 12:00 noon on day one and ends at 12:00 noon on day four. With the exception of the day one start time and day four end time, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(II) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(III) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from deer harvested and leave it at SOA kiosk.

2. On Choctaw NWR SOA:

(i) Primitive Weapons Deer Hunt:

(I) It shall be unlawful to hunt on Choctaw NWR SOA during specific primitive weapons hunt dates unless selected for a limited quota permit on assigned hunt unit(s). The permit holder and allowed guest may only hunt the assigned SOA and hunt unit(s) for those permitted times and days.

(II) Each deer hunt begins at 12:00 noon on day one and ends at 12:00 PM on day four of the hunt. With the exception of the day one start time and day four end time, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(III) Permit holder is allowed one properly licensed guest each day. The guest may be a different person each hunt day, but the guest bag is cumulative.

(IV) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from each deer harvested and leave it at SOA/NWR kiosk.

3. On Fred T. Stimpson SOA:

(i) It shall be unlawful to hunt on Fred T. Stimpson SOA unless selected for a limited quota permit for specific hunt dates on the assigned SOA and hunt unit(s). The permit holder and allowed guest(s) may only access (excluding approved scouting days) and hunt the assigned SOA and hunt unit(s) for those permitted.

(ii) Archery Deer Hunts:

(I) Each deer hunt begins at 12:00 noon on day one and ends at 12:00 noon on day four. With the exception of the day one start time and day four end time, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(II) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(III) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from deer harvested and leave it at SOA kiosk.

(iii) Youth Gun Deer Hunts:

(I) Permit holder 21 years of age or older or the parent of one of the youth may be accompanied by up to two youth guest hunters. The permit holder may also have a properly licensed supervising adult being 21 years of age or older or a parent of one of the youth. Hunters may only hunt in their assigned hunt unit on their specified hunt date. Only the youth may hunt.

(II) On the specified two-day hunt, hunters may sign in beginning at 5:00 AM. All hunters must be signed in prior to legal sunrise. All hunters must check out within 1½ hours after legal sunset. Travel to and from assigned hunt unit will be allowed between the hours of 10:00 AM and 2:00 PM.

(III) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Youth deer hunters are also required to extract a lower jawbone from each deer harvested and leave it at SOA kiosk.

(iv) Youth Squirrel Hunts:

(I) Permit holder 21 years of age or older or the parent of one of the youth must be accompanied by one youth hunter and will be allowed to have two additional youth guest hunters and one properly licensed supervising adult 21 years of age or older or a parent of one of the youth, for a maximum of five hunters to a party for each hunt unit. Hunters are only allowed to hunt in their assigned hunt unit on their assigned hunt date. Both youth and supervisors are allowed to hunt.

(II) Hunters may enter the SOA 1½ hours prior to legal sunrise; each small game hunt begins and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset. No scouting days prior to hunt date.

(v) Turkey Hunts:

(I) Hunters may enter the SOA 1½ hours prior to legal sunrise; each turkey hunt begins and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset; each turkey hunt ends at 1:30 PM on the last day.

(II) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(III) Turkey hunters are required to record the harvest date, body weight, spur length, and beard length of all harvested turkeys on provided data forms, as well as complete the provided hunter observation data sheet.

4. On Little River and Thigpen Hill SOA:

(i) It shall be unlawful to hunt on Little River and Thigpen Hill SOA unless selected for a limited quota permit for specific hunt dates on the assigned SOA and hunt unit(s). The permit holder and allowed guest(s) may only access (excluding approved scouting days) and hunt the assigned SOA and hunt unit(s) for those permitted days.

(ii) Deer Hunts:

(I) Each deer hunt begins at 12:00 noon on day one and ends at 12:00 noon on day four. With the exception of the day one start time and day four end time, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(II) Antlered bucks harvested are required to have at least three antler points (1 inch or longer) on at least one side.

(III) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(IV) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from deer harvested and leave it at SOA kiosk.

(iii) Youth Gun Deer Hunts:

(I) Permit holder 21 years of age or older or the parent of one of the youth may be accompanied by up to two youth guest hunters. The permit holder may also have a properly licensed supervising adult being 21 years of age or older or a parent of one of the youth. Hunters may only hunt in their assigned hunt unit on their specified hunt date. Only the youth may hunt.

(II) On the specified two-day hunt, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(III) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as

complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from each deer harvested and leave it at SOA kiosk.

(iv) **Turkey Hunts:**

(I) Hunters may enter the SOA 1½ hours prior to legal sunrise; each turkey hunt begins and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset; each turkey hunt ends at 1:30 PM on the last day.

(II) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(III) Turkey hunters are required to record the harvest date, body weight, spur length, and beard length of all harvested turkeys on provided data forms, as well as complete the provided hunter observation data sheet.

(v) **Small Game Hunts:**

(I) Hunters may enter the SOA 1½ hours prior to legal sunrise; each small game hunt begins and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset. No scouting days prior to hunt dates.

(II) Permit holder may be accompanied by up to three properly licensed guests. The guests may be different people each hunt day.

5. **On Upper State SOA:**

(i) It shall be unlawful to hunt on Upper State SOA unless selected for a limited quota permit for specific hunt dates on the assigned SOA and hunt unit(s). The permit holder and allowed guest(s) may only access (excluding approved scouting days) and hunt the assigned SOA and hunt unit(s) for those permitted days.

(ii) **Archery Deer Hunts:**

(I) Each deer hunt begins at 12:00 noon on day one and ends at 12:00 noon on day four. With the exception of the day one start time and day four end time, hunters may enter the SOA 1½ hours prior to legal sunrise and must exit the SOA by 1½ hours after legal sunset each day. Hunt times begin and end at legal shooting hours. Travel to and from assigned hunt unit(s) may also occur between 10:00 AM and 2:00 PM.

(II) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(III) Deer hunters are required to record harvest date, sex, lactation status of doe, body weight, and antler measurements of bucks on provided data forms, as well as

complete the provided hunter observation data sheet. Deer hunters are also required to extract a lower jawbone from each deer harvested and leave it at SOA kiosk.

(iii) Turkey Hunts:

(I) Hunters may enter the SOA 1½ hours prior to legal sunrise; each turkey hunt begins and ends at legal shooting hours; hunters must exit the SOA by 1½ hours after legal sunset; each turkey hunt ends at 1:30 PM on the last day.

(II) Permit holder may have one properly licensed guest. The guest may be a different person each hunt day, but the guest bag is cumulative.

(III) Turkey hunters are required to record the harvest date, body weight, spur length, and beard length of all harvested turkeys on provided data forms, as well as complete the provided hunter observation data sheet.”

Author: Christopher M. Blankenship

Statutory Authority: §§ 9-11-301 and 9-11-305, Code of Alabama, 1975.

Penalty: As provided by law.

History: Filed September 30, 1982. **Amended:** October 18, 1983; October 13, 1984; October 19, 1985; October 17, 1986; October 22, 1987; September 23, 1988; December 21, 1988; November 16, 1989; November 16, 1990; November 13, 1991; January 18, 1992; October 24, 1992. **Amended:** Filed: September 14, 1993; effective October 19, 1993. **Amended:** Filed September 13, 1994; effective October 19, 1994. **Amended:** Filed September 13, 1995; effective October 19, 1995. **Amended:** Filed August 20, 1996; effective September 24, 1996. **Amended:** Filed August 11, 1997; effective September 16, 1997. **Amended:** Filed August 11, 1998; effective September 16, 1998. **Amended:** Filed September 13, 1999; effective October 18, 1999. **Amended:** Filed August 10, 2000; effective September 14, 2000. **Amended:** Filed August 28, 2001; effective October 2, 2001. **Amended:** Filed September 16, 2002; effective October 21, 2002. **Amended:** Filed January 6, 2003; effective February 10, 2003. **Amended:** Filed August 21, 2003; effective September 25, 2003. **Amended:** Filed October 18, 2004; effective November 22, 2004. **Amended:** Filed August 9, 2005; effective September 13, 2005. **Amended:** Filed September 20, 2006; effective October 25, 2006. **Amended:** Filed September 17, 2007. **Amended:** Filed September 11, 2008; effective October 16, 2008. **Amended:** Filed September 15, 2009; effective October 20, 2009. **Amended:** Filed October 6, 2010; effective November 10, 2010. **Amended:** Filed June 15, 2012; effective July 20, 2012. **Amended:** Filed September 6, 2013; effective October 14, 2013. **Amended:** Filed July 16, 2014; effective August 20, 2014. **Amended:** Filed February 26, 2015; effective April 2, 2015. **Amended:** Filed October 14, 2015; effective November 18, 2015. **Amended:** Filed August 11, 2016; effective September 25, 2016. **Amended:** Filed August 14, 2017; effective September 28, 2017. **Amended:** Filed December 12, 2017; effective January 26, 2018. **Amended:** Filed October 11, 2018; effective November 25, 2018. **Amended:** Filed

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**ECONOMIC IMPACT
STATEMENT FOR APA RULE
(Section 41-22-23(f))**

Control No. 220 Department or Agency Conservation

Rule No: 220-2-.55

Rule Title: Prohibited Methods and Devices for Hunting.

New Amend Repeal Adopt by Reference

This rule has no economic impact.

This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:

3. EFFECT OF THIS RULE ON COMPETITION:

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED: