

**Christopher M. Blankenship**

**220-2-.165 Mallard-Fox and Swan Creek Wildlife Management Areas Waterfowl Hunting.**

(1) In addition to 220-2-.55, it shall be unlawful on Swan Creek and Mallard-Fox Creek Wildlife Management Areas (WMA):

(a) For any person to leave any vehicle parked at the established launching sites. Hunters must use the designated parking areas. However, physically disabled persons with approved handicapped vehicles may be parked at the designated handicap parking location at the main launch only.

(b) For any person to create or hunt from any dug-out or excavated area.

(c) To construct and/or utilize permanent waterfowl hunting blinds (those using building materials, flooring, or floatation and/or remaining in position overnight) anywhere on the Swan Creek or Mallard-Fox Creek WMAs, except on the Swan Creek WMA dewatering unit where specified. All such blinds shall be disposed of as deemed advisable by the Wildlife and Freshwater Fisheries Division of the Department of Conservation and Natural Resources.

(d) For any person using waterfowl decoys on Swan Creek WMA to leave said decoys out overnight unless they are at a limited quota blind location.

(e) To have more than 25 shotgun shells in the possession of each hunter (excluding youth hunters during the designated youth hunt days) while hunting waterfowl on Swan Creek WMA and Mallard-Fox Creek WMA.

(2) The following shall apply to the dewatering unit on Swan Creek WMA:

(a) All boats and/or boat blinds used for hunting waterfowl shall be launched and removed daily or shall be floated to an approved launching site for overnight mooring.

(b) It shall be unlawful for any person to fish from October 31<sup>st</sup> through the second Saturday in February.

(c) Temporary blinds may be used for one (1) day only and removed by the hunter. All such blinds, except boat blinds, left for more than one (1) day shall be disposed of as deemed advisable by the Wildlife and Freshwater Fisheries Division of the Department of Conservation and Natural Resources.

(d) All activity is prohibited when gates are closed. There shall be no activity from 7:00 PM to 3:00 AM, during the periods when gates are open. Gates are opened the morning of the November youth/military waterfowl hunt day and closed that night. Gates are opened the opening day of regular waterfowl season. Gates are closed each Monday

night and opened each Friday morning of regular waterfowl season, until the last fourteen days of regular waterfowl season during which gates remain open. Gates are closed the night of the last day of regular waterfowl season and opened the morning of the February youth/military waterfowl hunt day and remain open until June 1st.

(e) It shall be unlawful to use airboats.

(f) It shall be unlawful to hunt waterfowl on Tuesdays, Wednesdays, and Thursdays, except during the last two weeks of waterfowl season. During the dates between the youth/military waterfowl hunting days and regular season, gates to West Dike Road and the Main Launch Road will be locked. All waterfowl hunting activity in the Swan Creek dewatering unit is prohibited on those days unless authorized by the personnel of the Wildlife and Freshwater Fisheries Division of the Department of Conservation and Natural Resources.

(g) All limited quota blinds to be placed in the Swan Creek WMA dewatering unit must be registered in accordance with the following conditions:

1. The allocation of blinds will be determined through a limited quota system by random selection for individuals 16 years of age or older. In order to apply, ALL applicants are required to obtain a Conservation Identification Number (CID); those who are 16 to 64 years of age must have a hunting license (All Game, Small Game, or Heritage license), State Duck Stamp, and a WMA license to register for the blind drawing. Applicants will be processed through [www.outdooralabama.com](http://www.outdooralabama.com). **Any violation of rules, regulations, or laws by permit holder or guest while hunting the dewatering unit will result in that individual losing their eligibility for the remainder of the waterfowl season and their blind being disqualified for the remainder of the season. The disqualified blind will have to be removed within 48 hours of notification. Any violator may be prevented from entering future online blind drawings, depending on the severity of the violation.** All waterfowl hunting blinds of selected applicants must be at Swan Creek WMA between the hours of 8:00 AM – 11:00 AM on the third Saturday of October for inspection. Only thirty (30) selected blinds will be installed at predetermined sites in the dewatering unit. All registered blinds receiving one of the 30 predetermined sites must be installed at the predetermined blind location marker prior to gate closing on October 31<sup>st</sup>.

2. Blinds must meet "Selected Blind Specifications" established by the Wildlife and Freshwater Fisheries Division and deemed acceptable by an inspecting team to be approved for use. For information or a copy of the specifications, call (256) 353-2634.

3. All blinds passing inspection will be tagged by a Wildlife and Freshwater Fisheries employee. The tag must remain attached to the blind for the duration of the blind's stay on the WMA. Tags may not be transferred to a different blind. It is the hunter's responsibility to make sure the blind they hunt from is properly tagged. No person may hunt from an untagged blind.

4. The Wildlife and Freshwater Fisheries Division's Blind Governing Committee shall be the final authority in resolving any dispute concerning selected waterfowl blinds. The Blind Governing Committee shall be made up of the following people: District I Conservation Enforcement Supervisor, two (2) Conservation Enforcement Officers, District I Supervising Wildlife Biologist, and the Wildlife Biologist for Swan Creek WMA.

5. Each selected blind must be completely camouflaged with natural material (cane, oak limbs, or other similar materials) except for the boat entrance and the shooting holes before being placed in the dewatering unit. Camouflaged netting, burlap, or other similar materials will not be accepted as camouflage, except when used to cover the boat entrance and/or shooting holes.

6. Selected blinds must be anchored within 10 feet of the appropriate blind location marker. Blinds must remain within 10 feet of the blind location marker during the entire waterfowl season. Blind markers shall not be moved or otherwise altered or tampered with. No blind may be attached to the location marker in any way. If a blind is found to be attached to a marker, all hunters in the blind will be deemed in violation of this regulation. If it is determined by the Blind Governing Committee that a blind marker has been moved, otherwise altered, or tampered with, that blind shall be subject to disqualification from hunting by the Blind Governing Committee.

7. Any blind location that is unoccupied by the selected party 30 minutes prior to legal shooting hours may be utilized by the public.

8. The removal of all blinds shall be conducted from the Sunday following the February youth/military waterfowl day to no later than the third Sunday of February.

9. It shall be unlawful to hunt waterfowl within 150 yards of an occupied or unoccupied blind.

10. It shall be unlawful to be within the Swan Creek WMA dewatering unit on youth/military waterfowl hunt days unless you are an eligible hunter or are accompanying an eligible hunter (only the eligible hunter may hunt).

11. The committee shall have the authority to disqualify any blind if a dispute occurs and it cannot be resolved; or for any violation involving Selected Blind Specifications; or for any violation of any portion of this section of the regulation pertaining to the Swan Creek dewatering unit. Any blind that is disqualified by the committee shall be deemed immediately ineligible to be hunted from and shall be removed from the dewatering unit for the remainder of the waterfowl season following notification of the blind owner. The blind owner will have 48 hours in which to move the blind to an approved launch site for mooring and no more than seven days following notification of disqualification, for its complete removal from the WMA. Should the blind owner of a disqualified blind fail to move the blind to an approved launch for mooring and/or to

completely remove any such blinds, trailers, or parts thereof from the WMA within the specified times listed above, the blind shall be deemed to be the property of the Department of Conservation and Natural Resources and shall be utilized or destroyed as deemed advisable by the Wildlife and Freshwater Fisheries Division.

**Author:** Christopher M. Blankenship

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

**Penalty:** As provided by law.

**History:** **New Rule:** Filed June 15, 2021; effective August 14, 2021. **Amended (PE):** Filed August 1, 2022; effective August 1, 2022.