

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 220 Department or Agency Conservation and Natural Resources

Rule No.: 220-2-.131 Establishment of Youth Turkey Hunting Area

 New x 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

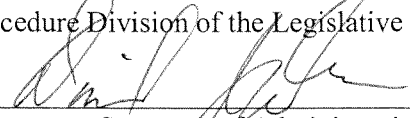
Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the rule? N/A

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 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.

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 Reference Service.

Signature of Certifying Officer 
Secretary of Administrative Procedure

Date July 19, 2013

Department of Conservation and Natural Resources
Division of Wildlife and Freshwater Fisheries

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Conservation and Natural Resources

RULE NO. & TITLE: (1) 220-2-.146 Antlered Buck and Turkey Harvest Record; (2) 220-2-.55 Wildlife Management Areas, Community Hunting Areas, Public Hunting Areas, and Refuges of Alabama; (3) 220-2-.02 Legal Arms, Ammunition, and Equipment for Hunting; (4) 220-2-.131 Establishment of Youth Turkey Hunting Area; (5) 220-2-.08 Hunting of Raccoon, Opossum, Squirrel, Rabbit and Deer During Closed Gun Season; (6) 220-2-.143 Alligator Hunting Season and Regulations; (7) 220-2-.30 Fur-Bearing Animals Designated/Trap Specifications/and Prohibited Devices/Tagging Requirement; (8) 220-2-.126 Public Shooting Range Regulation; (9) 220-2-.142 Turtle Dealer/Farmer Regulation; (10) 220-2-.114 Normal Agricultural Planting and Hunting of Dove.

INTENDED ACTION: (1)-(9) Amendments; (10) New; Repeal.

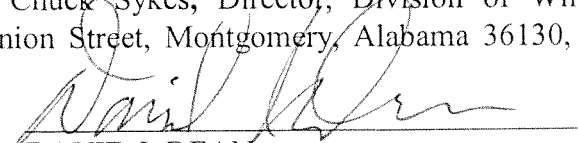
SUBSTANCE OF PROPOSED ACTION: (1) 220-2-.146 -To provide for a certain game check system, deer and turkey harvest record, and reporting requirement; (2) 220-2-.55 – To provide for and regulate conduct at the areas; (3) 220-2-.02 – To provide for and regulate the use of arms, ammunition and equipment for hunting and delete a certain prohibition while using muzzle-loaders and black powder handguns for deer hunting; (4) 220-2-.131- To provide for a certain exception for certain lawfully authorized handguns; (5) 220-2-.08 – To provide for a certain exception for certain lawfully authorized handguns; (6) 220-2-.143 – To provide for an alligator hunting season and regulations relating thereto, and to provide for a certain exception for certain lawfully authorized handguns; (7) 220-2-.30 – To further designate fur-bearing animals in Alabama; (8) 220-2-.126 – To further specify license requirements for certain Alabama residents using a public shooting range; (9) 220-2-.142 – To provide for an exception for the taking of certain nuisance turtles; (10) 220-2-.114 – To further provide for and define recognized practices or methods of planting or preparing fields relating to dove hunting and to repeal the existing rule.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of the Division of Wildlife and Freshwater Fisheries at any time during the period stated below, or orally if requested in advance by personally appearing at Room 469, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., September 6, 2013.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, September 6, 2013.

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



DAVID J. DEAN
Secretary of Administrative Procedure

N. Gunter Guy, Jr.

220-2-.131 Establishment of Youth Turkey Hunting Area

(1) The following area is hereby designated and established as “Youth Turkey Hunting Area”:

(a) “USA Foundation Hunting Area” as indicated on the attached map.

(2) It shall be unlawful on any area designated by the Department of Conservation and Natural Resources as a “Youth Turkey Hunting Area”:

(a) To hunt, trap, use dogs, possess firearms, traps or bow and arrow, without a valid permit. A permit is valid only during scheduled area spring turkey season during legal hunting hours and only with the required hunting license(s) and stamps and only with weapons and ammunition permitted for hunting turkey. See (4) for limited exception for certain lawfully authorized handguns possessed for personal protection.

(b) To have in possession any firearms, ammunition or bow and arrow except as allowed by law for the species hunted. See (4) for limited exception for certain lawfully authorized handguns possessed for personal protection.

(c) For any person to hunt without having in possession all required hunting licenses.

(d) For any person to carry firearms in or on vehicle with ammunition in the magazine, breech or clip attached to firearms, or black powder weapons with primer, cap or flash powder in place.

(e) To camp in the area.

(f) To kill or willfully molest any species of wildlife except those designated for hunting. However, this regulation shall not apply to bobcat, coyote, or fox, which may be killed during all scheduled area hunts that occur during the dates of the spring turkey season.

(g) To discharge fireworks at any time.

(h) To discharge firearms for target practice.

(i) To use fire to smoke out game.

(j) To transport turkey killed from the area before recording pertinent data at the designated check station.

(k) For any person except those authorized to operate any motor driven vehicle behind, under or around any locked gate, barricaded road or sign which prohibits vehicular traffic.

(l) 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 is impossible.

(m) To damage or remove any trees, crops, or other plants, dirt, gravel or sod without legal authorization.

(n) To hunt from an elevated platform.

(o) To hunt without first making a reservation for the particular hunt.

(p) To hunt more often than two days every week. Failure to cancel a reservation at least 48 hours prior to the hunt dates will be considered the same as if the individual hunted in determining when that person could reserve other dates.

(3) Individuals must follow the listed rules to participate in the scheduled youth turkey hunts.

(a) Each youth participant must be accompanied by an adult supervisor. The adult supervisor is to remain within arms length of the youth at all times.

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

(c) Adult is defined as those individuals twenty-five years old or older who are in possession of all state hunting licenses required to hunt turkey on a wildlife management area.

(d) Only one firearm will be allowed per youth. Only the youth hunter will be permitted to utilize the firearm for hunting. The adult is to review with the youth the rules of firearm safety and to ensure they are followed.

(e) The adult-youth pair is to check in and out at the check station as a single unit.

(f) Hunting hours will be daylight until 1:00 P.M. on Saturdays and other dates established by the District Wildlife supervisor of the spring turkey season.

(g) All other rules, laws, and regulations are in effect.

(4) Nothing in this regulation prohibits the possession of handguns by lawfully authorized persons for personal protection, provided the handguns are not used to hunt or take or to attempt to take wildlife in violation of law.

Statutory Authority: §§ 9-2-7, 9-2-8, and 9-2-12
Code of Alabama 1975

PENALTY: As provided by law.

2/10/2004(ER); 3/17/2004; 10/18/2007; 10/17/2008; 10/15/2009;

U.S.A. FOUNDATION HUNTING AREA

