

APA-1  
6/93

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. 220 Department or Agency Conservation and Natural Resources  
**Rule No.: 220-2-.115**  
**Rule Title: Snagging Fish**

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? 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

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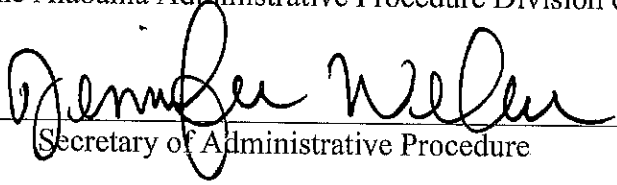
Does the proposed rule have any economic impact? NO

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.

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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 11-7-16

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: 220-2-.115 Snagging Fish

INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: To amend rule to define "snagging" and to make it unlawful to take or attempt to take fish by snagging within 800 feet of any dam on the Coosa River or its impoundments.

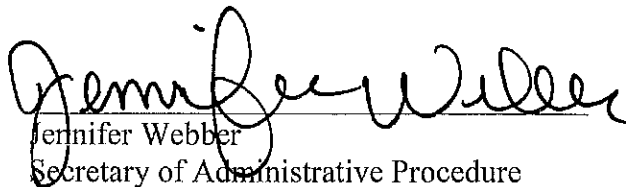
TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Director of the Division of Wildlife and Freshwater Fisheries at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of the Division of Wildlife and Freshwater Fisheries, by personally appearing at Room 474, Folsom Administrative Building, 64 North Union Street, Montgomery, Alabama, at 10:00 a.m., Wednesday, January 4, 2017.

If ADA accommodations are needed, please contact Daisy Perry at (334) 242-3165 or [daisy.perry@dnr.alabama.gov](mailto:daisy.perry@dnr.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:

January 4, 2017.

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.

  
Jennifer Webber  
Secretary of Administrative Procedure

**N. Gunter Guy, Jr.**

**220-2-.115 Snagging or Snatching Fish on the Tennessee River**

- (1) For the purpose of this regulation, "snagging" It shall be unlawful to take fish on defined as the Tennessee River taking or its impoundments attempted taking of fish by pulling either a single hook or group of hooks through the water in any manner which increases the likelihood of impaling fish in body regions other than the mouth. (snagging or snatching), provided said hooks may be so used with bait and/or lures to entice fish to strike or bite such bait or lure.
- (2) It shall be unlawful to take or attempt to take fish by snagging on all waters of the Tennessee River or its impoundments.
- (3) It shall be unlawful to take or attempt to take fish by snagging within 800 feet of any dam on the Coosa River or its impoundments.

**AUTHOR:** N. Gunter Guy, Jr.

**STATUTORY AUTHORITY:** §§ 9-2-7, 9-2-8, and 9-2-12,  
Code of Alabama, 1975.

**HISTORY:** 08/15/1996; 03/19/2015

**PENALTY:** As provided by law.