

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 133]

Wildlife Classification; General

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting proposed to add § 133.6 (relating to Eurasian collared-dove) to reclassify Eurasian collared-doves as a game bird and additionally require a general hunting license and a migratory license to hunt these birds.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the April 8, 2014, meeting of the Commission. Comments can be sent, until June 6, 2014, to the Director, Bureau of Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

Native to Europe and Asia, Eurasian collared-doves were first introduced to the Bahamas in the 1970s, made their way to Florida by the 1980s and then rapidly colonized most of North America. The first collared dove sighting in this Commonwealth occurred in 1996, with the first breeding population in this Commonwealth established by 2004. The second Pennsylvania Breeding Bird Atlas (2004-2008) found possible breeding populations in 15 survey blocks in 8 counties. Studies on interactions between collared-doves and other species have not yet shown a negative impact on populations of native birds, including mourning doves, though this information is preliminary and largely based on species interactions in milder climates where competition for feeding and nesting resources may not be as strong. As an introduced invasive species, Eurasian collared-doves are not protected under the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712). However, Eurasian collared-doves are not designated as game birds in this Commonwealth and must be classified as a game bird to create a hunting season concurrent with mourning doves. Since Eurasian collared-doves are difficult to distinguish from mourning doves in the field, a hunter inadvertently taking a collared dove would be in violation of State law. Conversely, designating collared-doves as exotic species with year-round take could lead to mistaken mourning dove kills. This situation would be remedied by classifying Eurasian collared-doves as a game bird, with hunting seasons concurrent with mourning doves and part of an aggregate daily bag and possession limits. The Commission is proposing to add § 133.6 to reclassify Eurasian collared-doves as a game bird and require a general hunting license and a migratory license to hunt these birds.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the commission to “[a]dd to or change the classification of any wild bird or wild animal.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall

promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The adoption of § 133.6 is proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will add § 133.6 to reclassify Eurasian collared-doves as a game bird and require a general hunting license and a migratory license to hunt these birds.

3. Persons Affected

Persons wishing to hunt Eurasian collared-doves or mourning doves within this Commonwealth will be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-366. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 133. WILDLIFE CLASSIFICATION

Subchapter A. GENERAL

§ 133.6. Eurasian collared-dove.

The Eurasian collared-dove (*Streptopelia decaocto*) is classified as a game bird. For the purpose of licensing, Eurasian collared-doves may be hunted with a general hunting license and a migratory bird license.

[Pa.B. Doc. No. 14-1092. Filed for public inspection May 23, 2014, 9:00 a.m.]