

TEXAS PARKS AND WILDLIFE DEPARTMENT

EXECUTIVE DIRECTOR ORDER NO. 023-008

Under the provisions of Parks and Wildlife Code, §12.027, if the Texas Parks and Wildlife Commission (the Commission) or the Executive Director of the Texas Parks and Wildlife Department (Executive Director) finds that there is an immediate danger to a species authorized to be regulated by the Department, the Commission or the Executive Director may adopt emergency rules as provided by Government Code, §2001.034. Under Parks and Wildlife Code, §64.024, the commission may adopt an emergency regulation governing the hunting or possession of migratory game birds if the commission finds that an emergency condition affecting the supply or condition of migratory game birds exists, and rulemaking authority with respect to migratory game birds is delegated to the executive director under §64.022 and 31 TAC §65.313.

All species of doves indigenous to Texas are game birds subject to regulation by the Commission under the provisions of various chapters of the Parks and Wildlife Code, including Chapters 61, 62, and 64.

On September 7, 2023, the Executive Director determined that the dates listed in 31 TAC §65.314(b)(3)(B), during which specific daily bag limits apply in the South Zone and Special White-winged Dove Area, created an emergency condition and an immediate danger to dove species authorized to be regulated by the department and had the potential to affect the supply or condition of migratory game birds, and that the adoption of rules on an emergency basis with fewer than 30 days' notice was necessary to address the immediate danger and emergency condition.

The emergency rule (48 TexReg 5209) replaced the reference to last year's dove seasons dates with the correct dates for this year's remaining dove seasons in the South Zone and Special White-winged Dove Area, adjusted for calendar shift, which is necessary to preserve the season structure for opening and closing on specific days of the week. The period of effectiveness of the initial emergency rule expires January 4, 2024 and must be extended to January 21, 2024, which is the last day of the dove season in the South Zone.

Therefore, finding that the immediate danger to dove populations continues to exist, the Executive Director hereby ORDERS the adoption, on an emergency basis, an extension of the emergency adoption of an amendment to 31 TAC §65.314(b)(3)(B), concerning Doves (Mourning, White-Winged, White-Tipped, White-Fronted Doves).

This order is effective immediately upon filing and authorizes publication of a Notice of Emergency Adoption in the *Texas Register*.

This order is issued pursuant to §12.027 of the Texas Parks and Wildlife Code, §64.024 of the Texas Parks and Wildlife Code, and §2001.034 of the Texas Government Code and is effective immediately.

Signed this the 28th day of December, 2023.



David Yoskowitz, Ph.D.
Executive Director
Texas Parks and Wildlife Department