



## Permanent Duck Blinds

Final rule

Update No. 1 - September 2, 2008

September 2008 Commission meeting

Explanation of Update: This report has been updated to reflect the current proposed rule language as published in the Notice of Proposed Rule.

# Background



The Leon/Jefferson County area is one of the hotspots in the state in terms of duck hunting activity. Several large public lakes offer most of the public duck hunting opportunity. There has been a long tradition for hunters to build and hunt from permanent blinds, most of which are left in place after the hunting season.

# Background

## Issues:

- Territorial conflicts
- Violation of DEP statutes and rules
- Boating hazards
- Decrease in aesthetics



# Proposed Rule

- Prohibit waterfowl hunting from or within 30 yards of a permanent blind on specific Leon and Jefferson County lakes
  - Lake Miccosukee
  - Lake Iamonia
  - Lake Jackson
  - Carr Lake
- Define permanent blind as anything (other than vegetation) that provides shelter and that remains in place when the hunter is not present



The proposed rule would prohibit waterfowl hunting from or within 30 yards of any permanent blind on Lakes Miccosukee, Iamonia, and Jackson, and Carr Lake and would establish a definition for permanent blind.

68A-12.002 General Methods of Taking Game, Prohibitions.

...

(7) No person shall:

...

(h) Take ducks, geese, mergansers, or coots while the person is within 30 yards of any permanent blind or anything in violation of either 253.77, F.S. or 373.430(1)(b), F.S. or 403.161(1)(b), F.S. on Lake Miccosukee (Jefferson County), Lake Iamonia (Leon County), Lake Jackson (Leon County), or Carr Lake (Leon County).

68A-1.004 Definitions.

...

(58) Permanent blind - anything that provides shelter, cover, or place of concealment for a person, but does not include any rooted vegetation or a shelter, cover, or place of concealment remaining in place only while the person is present.

## Proposed Rule

- In effect for 2008-09 regular waterfowl season
  - Special September duck season – opportunity for outreach/education
- Remove existing blinds



If approved, this rule would take effect for the regular waterfowl season in 2008-09. It would not be in effect in time for the Special September duck season. However, the September season would provide an opportunity for our officers to help with education and outreach about the new rule in person as they encounter hunters on these lakes. Also, we have efforts underway to remove existing blinds from the lakes.

## Public Input

- Duck hunting organizations and related websites
- Word-of-mouth, individual contacts
- Notices posted at boat ramps
- News release
- Comments solicited via website
- Public meeting, June 3, 2008, noticed in Florida Administrative Weekly



Most of the input received through the website and at the public meeting reflects opposition to the rule. As of 31 July, approximately two-thirds of the responses received indicated that the proposed rule would not resolve the problems. However, none of the comments offered solutions that were realistic or feasible in terms of resolving the issues, specifically, that the blinds, which are constructed in violation of Florida Statutes, contribute to prior territorial claims of public lands and result in conflict among hunters. Staff recognizes that this rule will not eliminate all hunter conflicts on these public lakes. Hunter crowding and spacing issues are common on public water bodies where duck hunting is popular. Nevertheless, staff is confident that this type of rule is necessary to discourage a longstanding but illegal practice which contributes to individuals claiming priority access to public resources resulting in conflicts between hunters.

# Requested Commission Action

- Adoption of proposed rule as advertised
- Actual proposed rule language provided in Notice of Proposed Rules for advertising in the Florida Administrative Weekly
- Proposed rules comply with Commission's standards rule

