

**NOTICE OF PROPOSED RULE**  
**Rule 68A-15.064, F.A.C.**  
**Consent Agenda Item 2d**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

Division of Hunting and Game Management

**RULE NO.:** 68A-15.064

**RULE TITLE:** Specific Regulations for Wildlife Management Areas -South Region.

**PURPOSE AND EFFECT:** The purpose of the proposed rule change is to eliminate the rules for the Frog Pond Wildlife Management Area (WMA). The effect would be that the area would be removed from the WMA system.

**SUMMARY:** The proposed rule change would eliminate the rules for the Frog Pond Wildlife Management Area.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** *The agency has determined that this rule will \_\_\_\_or will not Xhave an impact on small business. A SERC has \_\_\_\_ or has not Xbeen prepared by the agency.*

**A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THESE PROPOSED RULES.**

Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for lower cost regulatory alternatives must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** Article IV, Section 9, Florida Constitution; Sections 375.313, 379.2223 Florida Statutes.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; Sections 375.313, 379.2223 Florida Statutes.

**A HEARING WILL BE HELD AT THE DATE, TIME, AND PLACE SHOWN BELOW:**

**DATE AND TIME:** During the Commission's regular meeting June 17-18, 2009, 8:30 to 5:00 p.m. each day.

**PLACE:** Plantation Inn, 9301 West Fort Island Trail, Crystal River, Florida 34429.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Jim Antista, General Counsel, Legal Office, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, FL 32399-1600.

**THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:**

**68A-15.064 Specific Regulations for Wildlife Management Areas - South Region.**

(1) – (5) No change.

~~(6) Frog pond – Dade County.~~

~~(a) Open season:~~

~~Dove – The first, second and fourth Saturdays only during the first phase; the first and third Saturdays only during the second phase; and the first, third and fifth Saturdays only during the third phase of the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.~~

~~(b) Legal to take: Mourning and white-winged doves.~~

~~(c) Camping: Prohibited.~~

(d) General regulations:

1. ~~Persons must possess a special opportunity dove permit to hunt doves.~~
  2. ~~All hunters shall check in and out at a designated check station when entering or exiting the area. Hunters may enter the area beginning at 11:00 a.m. and must exit the area by one (1) hour after sunset.~~
  3. ~~Taking wildlife with firearms other than shotguns is prohibited. Taking wildlife with shotshells containing shot sizes other than No. 7 1/2, 8, 8 1/2, and 9 is prohibited.~~
  4. ~~Hunting with dogs other than retrievers is prohibited.~~
  5. ~~The use of vehicles off established roads is prohibited.~~
  6. ~~Hunt stations shall be assigned on a first come, first served basis at the check station. Hunters shall be within 100 feet of their assigned hunt station marker when taking or attempting to take doves.~~
  7. ~~Shooting hours: Noon until sunset.~~
- (6) (7) – (11) (12) No change.

**PROPOSED EFFECTIVE DATE:** As soon as possible following Commission action.

*Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. 375.313, 379.2223 FS. Law Implemented Art. IV, Sec. 9, Fla. Const. 375.313, 379.2223 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, 9-29-03, 7-1-04, 8-1-04, 7-1-05, 8-1-05, 7-1-06, 7-2-06, 7-1-07, 7-5-07, 7-1-08, 7-1-09, \_\_\_\_.*

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.**

**NAME OF PERSON(S) ORIGINATING PROPOSED RULE:** Diane Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** April 15, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN F.A.W.:** December 5, 2008.

**STATEMENT OF FACTS AND CIRCUMSTANCES JUSTIFYING PROPOSED RULES  
FISH AND WILDLIFE CONSERVATION COMMISSION**

Division of Hunting and Game Management

**RULE NO.:** 68A-15.064

**RULE TITLE:** Specific Regulations for Wildlife  
Management Areas -South Region.

The purpose of the proposed rule change is to eliminate the rules for the Frog Pond Wildlife Management Area (WMA). This area is being removed from the WMA system at the request of the landowner – South Florida Water Management District.

There are no federal regulations or standards regarding the same subject as this rule.