

**Background Report  
Final Rule 68A-13.004  
Agenda Item 17.A.  
February 11, 2016**

Notice of Proposed Rule

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.: RULE TITLE:**

68A-13.004: Hunting Regulations for Non-Migratory Game; Issuance of Antlerless Deer Permits and Private Lands Deer Management Permits

**PURPOSE AND EFFECT:** The purpose of the proposed rule amendment is to shift the antlerless deer season in DMU A3 to align it with the antlered deer season in DMU A3. The effect of the proposed rule amendment will be to enable the agency to better manage white-tailed deer.

**SUMMARY:** The proposed rule amendment would shift the antlerless deer season in DMU A3 to align it with the antlered deer season in DMU A3 (no change in season length, the season would begin on the Saturday before Thanksgiving rather than Friday). Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required

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

**RULEMAKING AUTHORITY:** Article IV, Section 9, Florida Constitution

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution

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

**DATE AND TIME:** During the Commission's regular meeting February 10 - 11, 2016, 8:30 a.m. to 5:00 p.m., each day

**PLACE:** Florida Public Safety Institute – 75 College Drive, Havana, FL 32333

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 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 using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

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

68A-13.004 Hunting Regulations for Non-Migratory Game and Issuance of Antlerless Deer Permits and Private Lands Deer Management Permits.

The hunting regulations for non-migratory game shall be as follows unless otherwise amended by the Commission, provided that regulations for hunting on wildlife management areas shall be as established by specific rule.

(1) Bag and possession limits:

(a) Deer: Possession limit, four; daily bag as follows provided no person shall take more than 2 deer per day except as provided by subparagraph 5. or as authorized by the executive director:

1. through 5. No change.

(b) through (d) No change.

(2) No change.

(3) Open seasons:

(a) No change.

(b) Antlerless deer:

1. Zone A:

a. through b. No change.

c. DMU A3: Open during the first 16 days of the archery and crossbow seasons in Zone A, and opening the ~~Saturday~~ Friday before the fourth Thursday in November and closing 3 days thereafter.

2. through 4. No change.

(c) through (i) No change.

(4) through (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2016

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-13.04, Amended 6-1-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-1-92, 7-1-93, 3-1-94, 7-1-94, 7-1-96, 10-28-97, 4-27-98, 12-28-98, Formerly 39-13.004, Amended 7-1-01, 5-13-02, 10-16-02, 7-1-05, 7-1-06, 7-1-08, 7-1-10, 1-1-11, 7-26-12, 7-1-13, 6-1-13, 7-1-14, 7-2-14, 7-1-15, 7-29-15, 7-1-16.*

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.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 19, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2015