

**Background Report  
Final Rule 68A-15.061  
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-15.061 Specific Regulations for Wildlife Management Areas - Southwest Region

**PURPOSE AND EFFECT:** The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region and conform to calendar year date changes. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

**SUMMARY:** The proposed rule amendment would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region as follows:

Arbuckle WMA – change the issuance method of spring turkey quota permits from 10 permits issued through the Commission’s Recreational License Issuance Services (RLIS) and 5 permits issued daily at the check station to 15 permits issued through RLIS.

Croom WMA – during small game season, allow any dog for hunting small game (quail, rabbit, squirrel and migratory birds) throughout the area, except within the Croom Motorcycle Area.

Fred C. Babcock/Cecil M. Webb WMA – during the raccoon and opossum season, allow vehicles to be driven on all named or numbered roads.

Fred C. Babcock/Cecil M. Webb WMA, Yucca Pens Unit – during small game season, allow any dog for hunting small game (quail, rabbit, squirrel and migratory birds); and shift general gun season 1 week earlier to reduce overlap with general gun season on Fred C. Babcock/Cecil M. Webb WMA.

Green Swamp WMA – during small game season, allow any dog for hunting small game (quail, rabbit, squirrel and migratory birds).

Green Swamp WMA, West Unit – during small game season, allow any dog for hunting small game (quail, rabbit, squirrel and migratory birds); and increase the number of quota permits issued at the check station during small game season from 100 to 120.

Hilochee WMA – during small game season, allow any dog for hunting small game (quail, rabbit, squirrel and migratory birds).

Upper Hillsborough WMA – during small game season, allow any dog for hunting small game (quail, rabbit, squirrel and migratory birds); and establish an additional designated entrance for walk-in access.

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 n; Section 375.313, Florida Statutes

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

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-15.061 Specific Regulations for Wildlife Management Areas – Southwest Region.

(1) Green Swamp Wildlife Management Area.

(a) Open season:

1. General gun – December ~~3~~ <sup>5</sup> through January ~~29~~ <sup>31</sup>.

2. Archery – October ~~28~~ <sup>30</sup> through November ~~27~~ <sup>29</sup>, Fridays, Saturdays and Sundays only and Thanksgiving Day.

3. No change.

4. Wild hog-dog – September 29 through October ~~2~~ <sup>4</sup> and October 6-9 ~~8-11~~.

5. Spring turkey – March ~~18~~ <sup>19</sup> through April ~~23~~ <sup>24</sup>.

6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. Hunting with dogs (other than bird dogs) is prohibited, except any dog ~~dogs~~ may be used during the small game season to take small game and during the wild hog-dog season to take wild hogs. The take of wild hog with dogs is prohibited except during the wild hog-dog season. During the wild hog-dog season, no more than 3 free-running dogs per wild hog-dog daily quota permit shall be allowed. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

5. through 9. No change.

(2) Green Swamp Wildlife Management Area – West Unit.

(a) Open season:

1. Wild hog-still – October ~~7-9~~ <sup>9-11</sup>.

2. Wild hog-dog – October ~~19-21~~ <sup>21-23</sup>.

3. Special-opportunity archery – December ~~3-6~~ <sup>5-8</sup> and ~~15-18~~ <sup>17-20</sup>.

4. Special-opportunity general gun – January ~~19-22~~ <sup>21-24</sup>, January 30 through February 2 ~~4-4~~ and February 8-11 ~~10-13~~.

5. Special-opportunity turkey – March ~~18-21~~ <sup>19-22</sup>, ~~27-30~~ <sup>28-31</sup>, April ~~1-4~~ <sup>2-5</sup>, ~~10-13~~ <sup>11-14</sup> and ~~15-18~~ <sup>16-19</sup>.

6. Small game – February ~~24-26~~ <sup>26-28</sup> and March ~~3-5~~ <sup>4-6</sup>.

7. through 8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 6. No change.

7. The use of dogs, ~~other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season~~, is prohibited except that dogs may be used during the small game season to take small game and during the wild hog-dog season to take wild hogs. The take of wild hog with dogs is prohibited except during the wild hog-dog season. During the wild hog-dog season, no more than three free-running dogs per quota permit shall be allowed. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

8. through 9. No change.

10. During the small game season the take of wild hog is prohibited except by persons in possession of a daily wild hog permit. ~~Eighty Sixty~~ wild hog permits shall be issued daily at the check station.

(3) Fred C. Babcock/Cecil M. Webb Wildlife Management Area.

(a) Open season:

1. Archery – September ~~10-14~~ ~~12-16~~.

2. Bird dog training – Bird dogs may be trained in the bird dog training area September ~~17~~ ~~19~~ through February ~~12~~ ~~14~~ and bird dogs may be trained in the remainder of the area during the small game season except the field trial and Boy Scout areas.

3. General gun – November ~~5-13~~ ~~7-15~~.

4. Small game – November ~~14-27~~ ~~16-29~~ and on Wednesdays, Thursdays, Saturdays and Sundays only ~~November 30~~ ~~December 2~~ through January ~~15~~ ~~17~~.

5. Field trial quail – January ~~21-22~~ ~~23-24~~.

6. through 7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. During periods closed to hunting ~~and the raccoon and opossum season~~, vehicles may be operated only on named or numbered roads in the bird dog training area lying south of the northern boundaries of Sections 19, 20 and 21, Township 41S, Range 24E and west of the first north-south fence line east of the Seaboard Grade and on Tram Grade, Tucker Grade and Road 6 in the remainder of the area. The operation of vehicles is prohibited in Sections 13, 14, 23 and 24, Township 42S, Range 24E and the west 1/2 of Section 19, Township 42S, Range 25E.

7. through 18. No change.

(4) Fred C. Babcock/Cecil M. Webb Wildlife Management Area – Yucca Pens Unit.

(a) Open season:

1. Muzzleloading gun – October ~~14-16~~ ~~16-18~~.

2. General gun – ~~October 29 through~~ November ~~6~~ ~~7-15~~.

3. Small game – November ~~16~~ ~~18~~ through January ~~15~~ ~~17~~ on Wednesdays, Thursdays, Saturdays and Sundays only and the Friday after Thanksgiving Day.

4. through 5. No change.

(b) through (c) No change.

(d) General regulations:

1. through 4. No change.

5. Hunting with dogs during the muzzleloading gun and general gun season is prohibited. The take of wildlife with use of dogs, other than retrievers, bird dogs and dogs with a shoulder height of 15 inches or less is prohibited, except when taking small game during the small game season or raccoon and opossum during the raccoon and opossum season when any dog may be used. The take of wild hogs with dogs is prohibited.

6. through 10. No change.

(5) Upper Hillsborough Wildlife Management Area.

(a) Open season:

1. Wild hog-dog – November ~~8-10~~ ~~10-12~~.

2. Archery – December ~~3-4~~ ~~5-6~~, ~~10-11~~ ~~12-13~~, December 31 through January 1 ~~2-3~~ and January 7-8 ~~9-10~~.

3. Muzzleloading gun – January ~~14-15~~ ~~16-17~~, ~~21-22~~ ~~23-24~~, ~~28-29~~ January 30-31 and February ~~4-5~~ ~~6-7~~.

4. Small game – February ~~18-19~~ ~~20-21~~, ~~25-26~~ ~~27-28~~ and March ~~4-5~~ ~~5-6~~.

5. Spring turkey – March ~~22-23~~ ~~23-24~~, ~~29-30~~ ~~30-31~~, April ~~5-6~~ ~~6-7~~, ~~12-13~~ ~~13-14~~ and ~~19-20~~ ~~20-21~~.

6. No change.

(b) No change.

(c) Camping: Prohibited except at the designated campsite from 8 a.m. one day prior to each archery and muzzleloading gun hunt until 8 p.m. on the last day of each hunt; from 3 p.m. one day prior to each wild hog-dog ~~hot-dog~~ and small game hunt until 8 p.m. on the last day of each hunt; from 8 a.m. one day prior to each spring turkey hunt until 5 p.m. on the last day of each hunt; or by written permission from the Southwest Florida Water

Management District. Only tents, trailers or self-propelled camping vehicles may be used for camping. Camping equipment is prohibited on the area except during periods when camping is allowed.

(d) General regulations:

1. No change.

2. Each day hHunters shall check in prior to hunting and out when finished hunting at a check station when entering and exiting the area and shall check all game taken.

3. All hunters shall enter and exit the area at a designated entrance on County Road 54.

3. through 8. renumbered 4. through 9. No change.

10.9. Hunting with dogs other than bird dogs is prohibited except that dogs may be used during the wild hog-dog season and any dog may be used to take small game during the small game season. The take of wild hog with dogs is prohibited except during the wild hog-dog season. During the wild hog-dog season, no more than three free-running dogs per quota permit shall be allowed. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

10. through 12. renumbered 11. through 13 No change.

(6) Arbuckle Wildlife Management Area.

(a) Open season:

1. Archery – October 15 ~~17~~ through November 4 ~~6~~.

2. Muzzleloading gun – December 10-18 ~~12-20~~.

3. Small game – January 7-8 ~~9-10~~ and 28-29 ~~30-31~~.

4. Spring turkey – March 21-23 ~~22-24~~ and April 4-6 ~~5-7~~.

5. No change.

(b) through (d) No change.

(7) KICCO Wildlife Management Area.

(a) Open season:

1. Archery – September 17 ~~19~~ through October 16 ~~18~~, Saturdays and Sundays only.

2. Muzzleloading gun – October 22-23 ~~24-25~~ and 29-30 ~~October 31 through November 1~~.

3. Wild hog-still – November 12 ~~14~~ through December 11 ~~13~~, Saturdays and Sundays only.

4. Small game – December 17 ~~19~~ through January 22 ~~24~~.

5. Spring turkey – March 18 ~~19~~ through April 16 ~~17~~, Saturdays and Sundays only.

6. No change.

(b) through (d) No change.

(8) Hickory Hammock Wildlife Management Area.

(a) Open season:

1. Wild hog-still – September 16-18 ~~18-20~~, 23-25 ~~25-27~~ and January 13-15 ~~15-17~~.

2. Archery – October 14-16 ~~16-18~~.

3. Muzzleloading gun – October 22-24 ~~24-26~~ and 26-28 ~~28-30~~.

4. General gun – November 5-7 ~~7-9~~.

5. Small game – November 14-27 ~~16-29~~ and January 23 ~~25~~ through March 5 ~~6~~.

6. General gun for mobility-impaired – December 10-11 ~~12-13~~.

7. No change.

8. Spring turkey – March 23-25 ~~24-26~~ and April 13-15 ~~14-16~~.

9. No change.

(b) through (d) No change.

(9) Walk-in-the-Water Wildlife Management Area.

(a) Open season:

1. Archery – October 1-2 ~~3-4~~, 3-6 ~~5-8~~, 7-9 ~~9-11~~, 10-13 ~~12-15~~ and 14-16 ~~16-18~~.

2. Muzzleloading gun – December 3-4 ~~5-6~~, 5-8 ~~7-10~~ and 9-11 ~~11-13~~.

3. Wild hog-still – January 14-17 ~~16-19~~ and 18-22 ~~20-24~~.

4. Small game – February 4-12 ~~6-14~~ and February 25 ~~27~~ through March 5 ~~6~~.

5. Spring turkey – March 28-30 ~~29-31~~.

6. No change.

(b) through (d) No change.

(10) Hilochee Wildlife Management Area.

(a) Open season:

1. Youth turkey hunt – March ~~11-12~~ ~~12-13~~.

2. Spring turkey – March ~~24-26~~ ~~25-27~~ and April ~~7-9~~ ~~8-10~~.

3. Muzzleloading gun – February ~~17-19~~ ~~19-21~~.

4. Wild hog-still – November ~~18-20~~ ~~20-22~~, December ~~2-4~~ ~~4-6~~, and ~~16-18~~ ~~18-20~~.

5. Small game – January ~~6-22~~ ~~8-24~~.

6. Archery – February ~~10-12~~ ~~12-14~~.

7. No change.

8. Raccoon – August ~~4~~ ~~6~~ through September ~~25~~ ~~27~~ (from 1.5 hours before sunset on Thursday until 1.5 hours after sunrise on Sunday).

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Hunting with dogs other than bird dogs and retrievers is prohibited, except any dog may be used when taking small game during small game season or dogs with a shoulder height of 15 inches or less may be used and during the raccoon season dogs of any size may be used. The take of wild hog with dogs is prohibited.

3. through 9. No change.

(11) Lake Marion Creek Wildlife Management Area.

(a) Open season:

1. Archery – October ~~15-17~~ ~~17-19~~ and ~~21-23~~ ~~23-25~~.

2. Muzzleloading gun – November ~~25-27~~ ~~27-29~~.

3. General gun – January ~~20-22~~ ~~22-24~~ and February ~~3-5~~ ~~5-7~~.

4. Small game – January ~~6-8~~ ~~8-10~~ and ~~13-15~~ ~~15-17~~.

5. Wild hog-still – December ~~9-11~~ ~~11-13~~ and ~~23-25~~ ~~25-27~~.

6. Youth turkey hunt – March ~~11-12~~ ~~12-13~~.

7. Spring turkey – March ~~18-20~~ ~~19-21~~, March 31 through April ~~2~~ ~~4-3~~ and April 14-16 ~~15-17~~.

8. No change.

(b) through (d) No change.

(12) Avon Park Air Force Range Wildlife Management Area.

(a) Open season:

1. Archery – September ~~17~~ ~~19~~ through October ~~16~~ ~~18~~ in areas and during days specified by the Installation Commander or a designee.

2. Muzzleloading gun – October ~~22~~ ~~24~~ through November ~~4~~ ~~6~~ in areas and during days specified by the Installation Commander or a designee.

3. General gun – November ~~5~~ ~~7~~ through January ~~22~~ ~~24~~ in areas and during days specified by the Installation Commander or a designee.

4. Small game – November ~~12~~ ~~14~~ through March ~~5~~ ~~6~~ in areas and during days specified by the Installation Commander or a designee.

5. Youth turkey hunt – March ~~11-12~~ ~~12-13~~ in areas and during days specified by the Installation Commander or a designee.

6. Spring turkey – March ~~18~~ ~~19~~ through April ~~23~~ ~~24~~ in areas and during days specified by the Installation Commander or a designee.

7. Antlerless deer – November ~~19-25~~ ~~21-27~~ in areas and during days specified by the Installation Commander or a designee.

8. through 10. No change.

(b) through (d) No change.

(13) Croom Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October ~~22-24~~ ~~24-26~~.

2. General gun – November ~~5-27~~ 7-29.
3. Small game – December 5-7 through March 5-6.
4. Spring turkey – March ~~21-23~~ 22-24, April ~~4-6~~ 5-7 and ~~18-20~~ 19-21.
5. Fox, raccoon and bobcat – December 15-17 through March 12-13. Hunting is allowed from 5 p.m. Thursday to sunrise Sunday with dogs only. Taking wildlife with guns is prohibited during this season.

6. through 7. No change.

(b) through (c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited during the muzzleloading gun and general gun seasons. ~~Hunting with dogs is prohibited during the small game season, except bird dogs and dogs with a shoulder height of 15 inches or less may be used to take small game. Dogs may be used for hunting fox, raccoon or bobcat during the fox, raccoon and bobcat season. Any dog may be used for taking small game during the small game season.~~ Dogs used during the fox, raccoon and bobcat season, ~~and dogs with a shoulder height of 15 inches or less used during the small game season~~ are only allowed in the portion of the area south of Croom road, bounded on the east by Croom-Rital Road to its juncture with the boundary fence of the Croom Motorcycle Area located in Sections 17, 18, 19, 30, 31 and those parts of Sections 7 and 8 lying south of the old railroad right-of-way, Township 22 South, Range 21 East, and thence bounded by said boundary fence. Taking wildlife with dogs is prohibited in the Croom Motorcycle Area.

2. The take of wild hogs with dogs is prohibited.

2. through 3. renumbered 3. through 4. No change.

~~5.4.~~ Taking wildlife with firearms or dogs is prohibited at all times in Sections 17, 18, 19, 30, 31 and those parts of Sections 7 and 8 lying south of the old railroad right-of-way, Township 22 South, Range 21 East.

5. through 6. renumbered 6. through 7. No change.

(14) Chassahowitzka Wildlife Management Area.

(a) Open season:

1. Archery – September ~~17-19~~ through October ~~16-18~~.

2. Muzzleloading gun – October ~~22-24~~ 24-26.

3. General gun – November 5-7 through January 1-3.

4. Wild hog-dog – January ~~13-15~~ 15-17 and ~~20-22~~ 22-24.

5. through 6. No change.

7. Youth turkey hunt – March ~~11-12~~ 12-13.

8. Spring turkey – March ~~24-26~~ 25-27, April ~~7-9~~ 8-10 and ~~21-23~~ 22-24.

9. Raccoon – February ~~2-26~~ 4-28 and May ~~4-28~~ 5-29 (from 1.5 hours before sunset on Thursday until 1.5 hours after sunrise on Sunday).

(b) through (d) No change.

(15) Hilochee Wildlife Management Area – Osprey Unit.

(a) Open season:

1. Family hunt – November ~~11-13~~ 13-15.

2. Wild hog-still – November ~~25-27~~ 27-29.

3. Wild hog-dog – December ~~9-11~~ 11-13 and January ~~6-8~~ 8-10.

4. Small game – January ~~26-28~~ through February 6-8.

5. Archery – February ~~10-12~~ 12-14.

6. Muzzleloading gun – February ~~17-19~~ 19-21.

7. Youth turkey hunt – March ~~11-12~~ 12-13.

8. Spring turkey – April ~~14-16~~ 15-17 and ~~21-23~~ 22-24.

9. No change.

(b) through (d) No change.

(16) Weekiwachee Wildlife Management Area.

(a) Open season:

1. Archery – October ~~15-20~~ 17-22, November ~~12-17~~ 14-19, December ~~10-15~~ 12-17, January ~~14-19~~ 16-21 and February ~~11-16~~ 13-18.

2. No change.

(b) through (d) No change

(17) Lower Hillsborough Wildlife Management Area.

(a) Open season:

1. Family hunt – December ~~9-11~~ ~~11-13~~, January ~~13-15~~ ~~15-17~~, January ~~27-29~~ ~~29-31~~ and February ~~10-12~~ ~~12-14~~.

2. Youth turkey hunt – March ~~24-26~~ ~~25-27~~ and April ~~7-9~~ ~~8-10~~.

3. No change.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2016

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 10-1-84, 7-1-85, 9-19-85, 5-7-86, 5-10-87, 6-8-87, 10-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 8-7-97, 7-1-98, 10-20-98, 12-28-98, 7-1-99, Formerly 39-15.061, Amended 12-9-99, 3-30-00, 7-1-00, 7-1-01, 5-13-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10, 7-1-11, 7-1-12, 7-1-13, 7-1-14, 7-1-15, 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