

**Background Report
Draft Rule 68A-15.006
Agenda Item 8.C.
November 16, 2016**

DRAFT RULE

RULE NO: 68A-15.006

RULE TITLE: Regulations Relating to Miscellaneous Areas.

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on miscellaneous areas 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 miscellaneous areas.

SUMMARY: The proposed rule amendment would adjust season dates to conform to calendar year changes and revise specific area regulations on miscellaneous areas as follows:

Babcock Ranch Preserve – prohibit trapping in the Tier II hunt areas except as authorized by the Commission.

Tenoroc Public Use Area – re-establish the upland portions of Tenoroc Fish Management Area (FMA) as the Tenoroc Public Use Area; and establish rules as necessary for the management of the uplands (consistent with the current management of Tenoroc FMA, and continue fishing as currently allowed on Tenoroc FMA).

Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:

68A-15.006 Regulations Relating to Miscellaneous Areas.

(1) through (2) No change.

(3) Babcock Ranch Preserve.

(a) Open season (in the Tier I hunt area):

1. Archery – July ~~29-30~~ through August ~~1-2~~ and August ~~5-8~~ ~~6-9~~.

2. Muzzleloading gun – September ~~2-4~~ ~~3-5~~.

3. Family – September ~~16-17~~ ~~17-18~~ and December ~~16-17~~ ~~17-18~~.

4. General gun for mobility-impaired – December ~~1-3~~ ~~2-4~~.

5. General gun – September ~~22-24~~ ~~23-25~~, September ~~29-30~~ through October ~~1-2~~ and December ~~8-10~~ ~~9-11~~.

6. Small game – January ~~6-21~~ ~~7-22~~ and February ~~3-4~~ ~~4-5~~ (Saturdays and Sundays only).

7. Spring turkey – March ~~3-5~~ ~~4-6~~ and ~~10-12~~ ~~11-13~~.

8. through 9. No change.

(b) through (c) No change.

(d) Regulations controlling activities in the Tier II hunt areas:

1. through 11. No change.

12. Trapping is prohibited, except as authorized by the Commission.

(e) through (f) No change.

(4) No change.

(5) Tenoroc Public Use Area.

(a) Open season: Fish – on days and lakes as provided by Rule 68A-20.005, F.A.C. and alligators as specified in Rule 68A-25.042, F.A.C.

(b) Legal to take: Fish as specified in Rule 68A-20.005, F.A.C. and alligator by persons participating in the statewide alligator trapping, permitting, taking and sale program as specified in Rule 68A-25.042, F.A.C.

(c) Camping: Prohibited.

(d) General regulations:

1. No person shall park any vehicle or trailer in a manner which obstructs a boat ramp.

2. All persons shall enter and exit at a designated entrance.

3. Dates and hours of public access and vehicle access shall be as established by order of the Executive Director.

4. Notwithstanding other provisions of this subsection, the Commission may allow activities to facilitate Commission-sponsored programs.

5. Public access and/or vehicle access may be prohibited or limited on area or portions thereof that are temporarily closed by administrative action to facilitate Commission-sponsored activities or authorized special events. To the extent circumstances permit, public notice of such closures shall be afforded through the FWC website, media and in-the-field postings. The closure shall not exceed 14 days unless approved by the Executive Director.

6. The use of tracked vehicles, all-terrain vehicles, unlicensed and unregistered motorcycles and swamp buggies is prohibited.

7. Vehicles shall only be operated on named or numbered roads.

8. Vehicles shall not be parked further than 25 feet from designated roads or parking areas.

9. Bicycles and horses shall only be ridden on roads open for vehicle traffic or trails designated for that use.

10. The regulations contained in Rules 68A-15.004 and 68A-15.005, F.A.C., not in conflict with specific area regulations, shall apply to this area.

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority Art. IV, Sec 9, Fla. Const. Law Implemented Art IV, Sec 9, Fla. Const. History--New 12-9-99, Amended 5-13-02, 5-1-03, 5-23-04, 7-1-06, 7-1-08, 7-1-09, 7-1-10, 11-9-10, 7-1-11, 7-1-12, 8-1-13, 7-1-14, 7-1-15, 7-1-16, 7-1-17.