

**Background Report
Draft Rule 68A-15.004
Agenda Item 12.C.
December 6, 2017**

DRAFT RULE

RULE NO: 68A-15.004

RULE TITLE: General Regulations Relating to Wildlife Management Areas.

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to update the allowable methods of take for wildlife (except migratory birds during migratory bird seasons) on Wildlife Management Areas (WMAs). The effect of the proposed rule amendment would be to prohibit the use of guns other than bows for taking wildlife (except migratory birds during migratory bird seasons) during the established archery season, unless otherwise stipulated in specific area regulation, and allow the taking of wild turkey with pre-charged pneumatic air guns during the spring turkey season on WMAs.

SUMMARY: The proposed rule amendment would prohibit the use of guns other than bows for taking wildlife (except migratory birds during migratory bird seasons) during the established archery season, unless otherwise stipulated in specific area regulation, and allow the taking of wild turkey with pre-charged pneumatic air guns during the established spring turkey season on WMAs.

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-15.004 General Regulations Relating to Wildlife Management Areas.

(1) through (3) No change.

(4) Legal to hunt:

(a) Wild turkey ~~Turkeys~~ may not be taken during any fall season in which firearms may be used unless otherwise provided for a specific area. Notwithstanding provisions in Rule 68A-13.004, F.A.C., wild turkeys of either sex may be taken during muzzleloading and general gun seasons as specifically provided by area rule. During periods in which the taking of wild turkey is allowed, the daily bag limit for wild turkey shall be one per day unless otherwise provided by specific area regulation. The hours in which the hunting of gobblers or bearded turkeys is permitted during the spring season shall be from one-half hour before sunrise until 1:00 p.m., unless otherwise provided by specific area regulation.

(b) through (c) No change.

(d) Wild turkey ~~Turkey~~ of either sex or antlerless deer may be taken during archery seasons unless otherwise provided by specific area regulation.

(e) through (j) No change.

(k) Notwithstanding the provisions in Rule 68A-13.008, F.A.C., shooting hours for mourning doves and white-winged doves shall be noon until sunset during the first phase of mourning dove and white-winged dove season unless otherwise provided by specific area regulation.

(5) No change.

(6) Guns:

(a) Taking wildlife (except migratory birds during migratory bird season) with a gun (except a bow) ~~firearm or crossbow~~ is prohibited on any wildlife management area during the established archery season unless otherwise stipulated in a regulation established for a specific area. Taking wildlife (except migratory birds during migratory bird season) with a gun (except a muzzleloading gun) is prohibited on any wildlife management area during the established muzzleloading gun season unless otherwise stipulated in a regulation established for a specific area. Taking wildlife with a gun is prohibited on any wildlife management area during any season open only for the taking of fur-bearing animals or frogs unless otherwise stipulated in a regulation established for a specific area.

(b) through (d) No change.

(e) Taking wild turkey with air guns other than pre-charged pneumatic air guns propelling an arrow or bolt meeting specifications outlined in 68A-12.002, F.A.C. during the spring turkey season is prohibited.

(7) No change.

(8) Camping:

(a) On those areas where Commission camping permits are required by specific area rule, those permits will be issued by the Commission unless denial is either necessary to protect natural and cultural resources in campgrounds, minimize conflicts among area users in the campgrounds, maintain public safety, ensure compliance with health department county codes, and to offer a fair opportunity to obtain a campsite or as appropriate based on Rule 68A-1.010 ~~5.004~~, F.A.C.

(b) through (d) No change.

(9) through (16) No change.

PROPOSED EFFECTIVE DATE: July 1, 2018

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 379.354 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, 6-9-83, 9-27-83, 7-5-84, 7-1-85, Formerly 39-15.04, Amended 5-7-86, 5-10-87, 4-13-88, 8-18-88, 4-19-90, 4-4-91, 4-14-92, 10-22-92, 7-26-94, 11-6-94, 3-30-95, 10-23-95, 9-15-96, 6-1-97, 7-1-98, 12-28-98, 4-15-99, Formerly 39-15.004, Amended 7-1-00, 6-2-02, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10, 1-1-11, 5-2-12, 4-9-13, 7-1-14, 7-1-15, 7-1-16, 7-1-18.