

**Background Report
Draft Rule 68A-17.004
Agenda Item 8.A.
February 7, 2018**

DRAFT RULE

RULE NO: 68A-17.004

RULE TITLE: General Regulations Relating to Wildlife and Environmental 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) during the established archery and spring turkey seasons on Wildlife and Environmental Areas (WEAs) and to update the allowance for using dogs on WEAs. 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 on WEAs, unless otherwise stipulated in specific area regulation; allow the taking of wild turkey with pre-charged pneumatic air guns during the spring turkey season on WEAs; and allow the use of dogs on leashes for trailing wounded game unless otherwise prohibited under specific area regulations.

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 on WEAs, unless otherwise stipulated in specific area regulation; allow the taking of wild turkey with pre-charged pneumatic air guns during the spring turkey season on WEAs; and adds the allowance to use dogs on leashes for trailing wounded game unless otherwise prohibited under specific area regulations. Additionally, the proposed rule amendment would provide non-substantive technical changes.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) through (2) No change.

(3) Permit exceptions: Persons exempted by Section 379.353 ~~379.354~~, F.S., persons utilizing the Apalachicola River Wildlife and Environmental Area for recreational activities, and persons in possession of a special-use permit are excepted from wildlife management area stamp requirements.

(4) Legal to Hunt: Legal game shall be only those game species identified in specific area regulations.

(a) Notwithstanding provisions in Rule 68A-13.004, F.A.C., wild turkeys of either sex may be taken as provided by specific area regulation.

(b) 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.

(c) through (f) No change.

(g) 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 and environmental area during the established season for archery hunting 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 and environmental area during the established season for muzzleloading gun hunting unless otherwise stipulated in a regulation established for a specific area. Taking wildlife with a gun is prohibited on any wildlife and environmental 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) Dogs:

(a) through (c) No change.

(d) Dogs on leashes may be used for trailing wounded game unless otherwise prohibited under specific area regulations.

(8) through (17) No change.

PROPOSED EFFECTIVE DATE: July 1, 2018

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.354, 375.313 FS. History—New 4-12-98, Amended 12-28-98, Formerly 39-17.004, Amended 7-1-00, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10, 1-1-11, 3-25-12, 4-9-13, 7-1-14, 7-1-15, 7-1-16, 7-1-18.