

**NOTICE OF PROPOSED RULE  
FISH AND WILDLIFE CONSERVATION COMMISSION**

**DIVISION:** Freshwater Fish and Wildlife

**RULE NO:** 68A-9.004

**RULE TITLE:** Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

**PURPOSE AND EFFECT:** The purpose of the proposed rule amendment is to better manage fish and wildlife resources by establishing a written authorization requirement, issuance criteria, and appropriate guidelines for special events that the public may wish to conduct on Commission managed lands. The effect of the proposed rule amendment will be to enable the public to conduct special events on Commission managed lands that may otherwise be prohibited while limiting liability to the Commission and protecting fish, wildlife, natural and cultural resources.

**SUMMARY:** The proposed rule amendment would require written authorization for special events on lands where the Commission is landowner or lead land manager; define a special event as one that is in violation of Commission rules, requires Commission resources (personnel or equipment), requires additional infrastructure, or would have significant impacts on cultural or natural resources; and would allow the Commission to impose such reasonable conditions to assure that the use or activity authorized will limit liability to the Commission and protect fish, wildlife, natural and cultural resources.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** *The agency has determined that this rule will \_\_\_or will not X\_\_\_ have an impact on small business. A SERC has \_\_\_or has not X\_\_\_ 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 the statement of estimated regulatory costs, or to provide a proposal for lower cost regulatory alternatives must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** Article IV, Section 9, Florida Constitution; Section 379.354, Florida Statutes.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; Sections 379.1025, 379.2223, 375.313, 375.591, 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 13 - 14, 2013, 8:30 a.m. to 5:00 p.m., each day.

**PLACE:** SeaWorld Park, 7007 SeaWorld Drive, Orlando, FL 32821.

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 calendar 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 by calling (850)488-9542.

**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 AS FOLLOWS:**

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) through (2) No change.

(3) On those lands where the Commission is the landowner or lead managing agency, written authorization is required for special events that are in violation of Commission rules, require Commission resources (personnel or equipment), require additional infrastructure, or would have significant impacts on natural resources, cultural resources or public use. A special event is an organized occasion that includes, but is not limited to, events such as sport competitions, recreational events and fundraisers. The Commission shall issue a written authorization when

the applicant proposes natural or cultural resource related activities that do not unduly impact the resource, interfere with other users, or impose significant costs to the Commission. The Commission shall impose upon a Special Use Authorization issued pursuant to this subsection such reasonable conditions as are necessary to assure that the use or activity authorized will limit liability to the agency and protect fish, wildlife, natural and cultural resources.

**PROPOSED EFFECTIVE DATE:** July 1, 2013

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.354 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.1025, 379.2223, 375.313, 375.591 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-3-08, 4-1-09, 7-20-09, 7-1-10, 5-5-11, 8-11-11, 5-2-12, 7-1-13.*

**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:** 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:** December 6, 2012

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN F.A.W.:** January 8, 2013