Background Report
Final Rule 68A-15.006
Agenda Item 4 D
February 12, 2014

Notice of Proposed Rule

FISH AND WILDLIFE CONSERVATION COMMISSION
Freshwater Fish and Wildlife
RULE NO.: RULE TITLE:
68A-15.006 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:
Kissimmee Chain of Lakes Area - allow tree stands to be taken onto the area from 10 days before archery season until 10 days after the end of spring turkey season; and establish a daily bag limit of one wild turkey per day.
Kissimmee River Public Use Area - establish a daily bag limit of one wild turkey per day.
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.
LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.
A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: During the Commission's regular meeting February 12 - 13, 2014, 8:30 a.m. − 5:00 p.m., each day
PLACE: Doubletree by Hilton Hotel, Tampa Airport – Westshore, 4500 West Cypress Street, Tampa, FL 33607
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-15.006 Regulations Relating to Miscellaneous Areas.
(1) No change.
(2) Kissimmee River Public Use Area.
(a) No change.

(b) Legal to take: All legal game, wild hog, non-protected mammals, furbearers, fish, and frogs. Antlerless deer may be taken only during the archery seasons and during the first two days of the antlerless deer seasons for Zone A and C, as applicable, established in Rule 68A-13.004, F.A.C. Bag and possession limits and shooting hours shall be those established under Rules 68A-13.003, 68A-13.004 and 68A-13.008, F.A.C., except that shooting hours for turkeys during the spring season shall be from one-half hour before sunrise until 1 p.m. and the daily bag limit for wild turkey shall be one per day.

(c) No change.

(3) Babcock Ranch Preserve.

(a) Open season (in the FWC designated hunting area):

1. Archery – August 2-5 ~~3-6~~ and 9-12 ~~10-13~~.

2. Muzzleloading gun – September 6-8 ~~7-9~~.

3. Family – September 20-21 ~~21-22~~ and December 20-21 ~~21-22~~.

4. General gun for mobility-impaired – December 5-7 ~~6-8~~.

5. General gun – September 26-28 ~~27-29~~, October 3-5 ~~4-6~~ and December 12-14 ~~13-15~~.

6. Small game – January 3-18 ~~4-19~~ and January 31 through February 1 ~~1-2~~ (Saturdays and Sundays only).

7. Spring turkey – March 7-9 ~~1-3~~ and 14-16 ~~8-10~~.

8. No change.

(b) through (d) No change.

(4) Kissimmee Chain of Lakes Area.

(a) No change.

(b) Legal to take: All legal game, wild turkey (but only bearded turkey or gobblers), wild hog, non-protected mammals, furbearers (except bobcat and otter), fish and frogs. The take of deer is prohibited in the Drasdo, East, and West Shore Units. The take of antlerless deer is prohibited. The daily bag limit for wild turkey shall be one per day.

(c) General regulations:

1. through 11. No change.

12. Erecting or maintaining tree stands more than ten days before the start of archery season or more than ten days after the end of spring turkey ~~general gun~~ season is prohibited.

13. No change.

PROPOSED EFFECTIVE DATE: July 1, 2014

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 .

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 20, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014