

**Final Rule 68A-15.063
Agenda Item 11
September 10, 2014**

Notice of Proposed Rule

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Blackwater Wildlife Management Area (WMA) in the Northwest Region to address landowner concerns regarding the illegal trespass of hunting dogs onto private property. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and reduce conflict between hunters and private landowners.

SUMMARY: The proposed rule amendment would require that all dogs used to pursue or take deer, fox or coyote must be equipped and monitored with electronic tracking and control devices in that portion of the dog hunt area east of Belandville Road. The correction device requirement of this rule shall not take effect until July 1, 2016.

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; 379.2223, 375.313 FS.

A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission's regular meeting September 10-11, 2014, 8:30 a.m. – 5:00 p.m., each day

PLACE: Embassy Suites Orlando – Lake Buena Vista South, 4955 Kyngs Heath Road, Kissimmee, FL 34746

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-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region.

(1) through (3) No change.

(4) Blackwater Wildlife Management Area.

(a) through (e) No change.

(f) General regulations:

1. through 3. No change.

4. The taking or pursuing of deer, fox or coyote with dogs is prohibited in that portion of the dog hunt area east of Belandville Road unless each dog is equipped and monitored with devices that allow remote tracking and behavior correction. The device(s) must be attached by a collar or similar means and must be used to prevent dog egress into unauthorized areas. The remote tracking device(s) would include Global Positioning System (GPS) or telemetry tracking. Effective Date: The correction device requirement in this rule shall not take effect until July 1, 2016.

4. through 12. renumbered 5. through 13. No change.

(5) through (28) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 7-5-84, 7-1-85, 5-7-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 9-1-91, 7-1-92, 7-2-92, 7-1-93, 3-1-94, 7-1-94, 7-1-95, 7-2-95, 8-15-95, 7-1-96, 7-2-96, 6-1-97, 12-3-97, 7-1-98, 7-2-98, 8-11-98, 7-1-99, Formerly 39-15.063, Amended 11-17-99, 7-1-00, 7-1-01, 7-22-01, 6-2-02, 5-1-03, 7-1-03, 7-1-04, 7-2-04, 8-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10, 7-1-11, 11-14-11, 7-1-12, 7-1-13, 7-1-14, 7-2-14,_____.

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: June 19, 2014

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